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Fenwick

FILE NO. 101-90-65

ORDINANCE NO. 101-91

RO #90195 SA #118

(Government Funding)

APPROPRIATING $1,035,170 FOR JUDGMENT AND CLAIMS (ATTORNEYS' FEES), FIRE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000061	Reserve For Litigation	$1,035,170	
31-03-00	Fire Department		
Project 117-01	Consent Decree		
14-1450 (333203)	Judgment and Claims		$1,035,170

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey By
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Gonzalez Hsieh Shelley Ward	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-65

MAR 20 1991
Date Approved

Mayor

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FILE NO. 109-88-3 ORDINANCE NO. 102-91

[Rent Ordinance]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 37.3 AND 37.8 THEREOF TO PERMIT LANDLORDS TO PASS THROUGH TO TENANTS FIFTY PERCENT OF THE PENALTIES FOR EXCEEDING WATER ALLOTMENT; PROVIDING FOR NOTIFICATION TO LANDLORDS THROUGH THE WATER DEPARTMENT'S BILL INSERT PROGRAM.

3/11/91 ep

Note: Additions or substitutions are underlined; deletions are indicated by ((double)) parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 37.3 and 37.8 thereof to read as follows:

SEC. 37.3. RENT LIMITATIONS.

(a) Rent Increase Limitations for Tenants in Occupancy. Landlords may impose rent increases upon tenants in occupancy only as provided below:

(1) Annual Rent Increase. On March 1 of each year, the Board shall publish the increase in the CPI for the preceding 12 months, as made available by the U.S. Department of Labor. A landlord may impose annually a rent increase which does not exceed a tenant's base rent by more than 60% of said published increase. In no event, however, shall the allowable annual increase be less than 4% or greater than 7%.

(2) Banking. A landlord who refrains from imposing an annual rent increase or any portion thereof may accumulate said increase and impose that amount on the tenant's subsequent rent increase anniversary dates. A landlord who, between April 1, 1982 and February 29, 1984, has banked an annual 7% rent increase (or rent increases) or any portion thereof may impose the accumulated increase on the tenant's subsequent rent increase anniversary dates.

(3) Capital Improvements, Rehabilitation, and Energy Conservation Measures. A landlord may impose rent increases based upon the cost of capital improvements, rehabilitation or energy conservation measures provided that such costs are certified pursuant to Section 37.7 below.

(4) Utilities. A landlord may impose increases based upon the cost of utilities as provided in Section 37.2(o) above.

(5) Charges Related to Excess Water Use. A landlord may impose increases not to exceed fifty percent of the excess use charges (penalties) levied by the San Francisco Water Department on a building for use of water in excess of Water Department allocations under the following conditions:

A. The landlord provides tenants with written certification that the following have been installed in all units: (1) permanently-installed retrofit devices designed to reduce the amount of water used per flush or low-flow toilets (1.6 gallons per flush); (2) low-flow showerheads which allow a flow of no more than 2.5 gallons per minute; and (3) faucet aerators (where installation on current faucets is physically feasible); and

B. The landlord provides the tenants with written certification that no known plumbing leaks currently exist in the building and that any leaks reported by tenants in the future will be promptly repaired; and

C. The landlord provides the tenants with a copy of the water bill for the period in which the penalty was charged.

3/11/91 ep

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3/11/91 ep

Only penalties billed for a service period which begins after the effective date of the ordinance may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good faith effort to appeal the allotment. Increases based upon penalties shall be pro-rated on a per room basis provided that the tenancy existed during the time the penalty charges accrued. Such charges shall not become part of a tenant's base rent. Where a penalty in any given billing period reflects a 25% or more increase in consumption over the prior billing period, and where that increase does not appear to result from increased occupancy or any other known use, a landlord may not impose any increase based upon such penalty unless inspection by a licensed plumber or Water Department inspector fails to reveal a plumbing or other leak. If the inspection does reveal a leak, no increase based upon penalties may be imposed at any time for the period of the unrepaired leak.

(((5))) (6) RAP Loans. A landlord may impose rent increases attributable to the Chief Administrative Officer's amortization of the RAP loan in an area designated on or after July 1, 1977 pursuant to Chapter 32 of the San Francisco Administrative Code.

(((6))) (7) Additional Increases. A landlord who seeks to impose any rent increase which exceeds those permitted above shall petition for a rental arbitration hearing pursuant to Section 37.8 of this Chapter.

(b) Notice of Rent Increase for Tenants in Occupancy. On or before the date upon which a landlord gives a tenant legal notice of

a rent increase, the landlord shall inform the tenant, in writing, of the following:

(1) Which portion of the rent increase reflects the annual increase;

(2) Which portion of the rent increase reflects a banked amount, if any, pursuant to Section 37.3(a)(2);

(3) Which portion of the rent increase reflects costs for capital improvements, rehabilitation, or energy conservation measures certified pursuant to Section 37.7;

3/11/91 ep

(4) Which portion of the rent increase reflects the pass-through of charges for gas and electricity, which charges shall be explained;

(5) Which portion of the rent increase reflects the amortization of the RAP loan, as described in Section 37.3(a)(5) above.

(6) Nonconforming Rent Increases. Any rent increase which does not conform with the provisions of this Section shall be null and void.

(c) Initial Rent Limitation for Subtenants. A tenant who subleases his or her rental unit may charge no more rent upon initial occupancy of the subtenant or subtenants than that rent which the tenant is currently paying to the landlord.

Sec. 37.8. Arbitration of Rental Increase Adjustments.

(a) Authority of Board and Hearing Officers. In accordance with such guidelines as the Board shall establish, the Board and designated hearing officers shall have the authority to arbitrate rental increase adjustments and to administer the rent increase protest procedures with respect to RAP rental units as set forth in Chapter 32 of the San Francisco Administrative Code.

/ / /

(b) Request for Arbitration.

(1) Landlords. Landlords who seek to impose rent increases which exceed the limitations set forth in Section 37.3(a) above must request an arbitration hearing as set forth in this section. The burden of proof is on the landlord.

(2) Tenants.

(A) Notwithstanding Section 37.3, tenants of non-RAP rental units and tenants of RAP rental units in areas designated on or after July 1, 1977 may request arbitration hearings where a landlord has substantially decreased services without a corresponding reduction in rent and/or has failed to perform ordinary repair and maintenance under state or local law and/or has failed to provide the tenant with a clear explanation of the charges for gas and electricity passed through to the tenant. The burden of proof is on the tenant.

3/11/91
ep

(B) Tenants of RAP rental units in areas designated prior to July 1, 1977 may petition for a hearing where the landlord has noticed an increase which exceeds the limitations set forth in Section 32.73 of the San Francisco Administrative Code. After a vacancy has occurred in a RAP rental unit in said areas, a new tenant of said unit may petition for a hearing where the landlord has demanded and/or received a rent for that unit which exceeds the rent increase limitation set forth in Section 32.73 of the San Francisco Administrative Code. The burden of proof is on the landlord.

(c) Procedure for Landlord Petitioners.

(1) Filing. The request for arbitration must be filed on a petition form prescribed by the Board and shall be accompanied

by such supporting material as the Board shall prescribe, including but not limited to, justification for the proposed rental increase.

(2) Filing Date. The petition must be filed prior to the mailing or delivering to the tenant or tenants legal notice of the rental increase exceeding the limitations as defined in Section 37.3.

(3) Effect of Timely Filing of Petition. Provided a completed petition is timely filed, that portion of the requested rental increase which exceeds the limitations set forth in Section 37.3 and has not been certified as a justifiable increase in accordance with Section 37.7 is inoperative until such time as the hearing officer makes findings of fact at the conclusion of the arbitration hearing.

(4) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing.

(d) Procedure for Tenant Petitioners.

(1) Filing. The request for arbitration must be filed on a petition form prescribed by the Board and must be accompanied by such supporting material as the Board shall prescribe, including but not limited to, a copy of the landlord's notice of rent increase. If the tenant petitioner has received certification findings regarding his rental unit in accordance with 37.7, such findings must accompany the petition. If the tenant petitioner has received a notification from the Chief Administrative Officer with respect to base rent and amortization of a RAP loan, such notification must accompany the petition.

(2) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing. Responses to a petition for hearing may be submitted in writing.

(e) Hearings.

(1) Time of Hearing. The hearing must be held within forty-five (45) days of the filing of the petition. The level of housing services provided to tenants' rental units shall not be decreased during the period between the filing of the petition and the conclusion of the hearing.

(2) Consolidation. To the greatest extent possible, hearings with respect to a given building shall be consolidated.

(3) Conduct of Hearing. The hearing shall be conducted by a hearing officer designated by the Board. Both parties may offer such documents, testimony, written declarations or other evidence as may be pertinent to the proceedings. A record of the proceedings must be maintained for purposes of appeal.

(4) Determination of the Hearing Officer: Rental Units. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to whether or not the landlord's proposed rental increase exceeding the limitations set forth in Section 37.3 is justified or whether or not the landlord has effected a rent increase through a reduction in services or has failed to perform ordinary repair and maintenance as required by state or local law. In making such

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findings, the hearing officer shall take into consideration the following factors:

(A) Increases or decreases in operating and maintenance expenses, including, but not limited to, real estate taxes, sewer service charges, janitorial service, refuse removal, elevator service, security system, and debt service; provided however, when a unit is purchased after the effective date of this ordinance, and this purchase occurs within two (2) years of the date of the previous purchase, consideration shall not be given to that portion of increased debt service which has resulted from a selling price which exceeds the seller's purchase price by more than the percentage increase in the "Consumer Price Index for All Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor" between the date of previous purchase and the date of the current sale, plus the cost of capital improvements or rehabilitation work made or performed by the seller.

(B) The past history of increases in the rent for the unit and the comparison of the rent for the unit with rents for comparable units in the same general area.

(C) Any findings which have been made pursuant to Section 37.7 with respect to the unit.

(D) Failure to perform ordinary repair, replacement and maintenance in compliance with applicable state and local law.

(E) Any other such relevant factors as the Board shall specify in rules and regulations.

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(5) Determination of the Hearing Officer: RAP Rental Units.

(A) Rap Rental units in RAP areas designated prior to July 1, 1977. The hearing officer shall make findings as to whether or not the noticed or proposed rental increase exceeds the rent increase limitations set forth in Section 32.73 of the San Francisco Administrative Code. In making such findings, the hearing officer shall apply the rent increase limitations set forth in Chapter 32 of the San Francisco Administrative Code and all rules and regulations promulgated pursuant thereto. The hearing officer shall consider the evidence presented at the hearing. The burden of proof shall be on the landlord.

(B) Rap rental units in RAP areas designated on or after July 1, 1977. The hearing officer shall make findings with respect to rent increases exceeding the limitations as set forth in Section 37.3 of this chapter. In making such findings, the hearing officer shall take into consideration the factors set forth in subsection (4) above and shall consider evidence presented at the hearing. The burden of proof is on the landlord.

(6) Findings of Fact. The hearing officer shall make written findings of fact, copies of which shall be mailed to the parties within 30 days of the hearing.

(7) Payment or Refund of Rents to Implement Arbitration Decision. If the hearing officer finds that all or any portion of the heretofore inoperative rent increase is justified, the tenant petitioner shall be ordered to pay all or a portion of that cumulative amount to the landlord within five (5) days of the mailing of the findings of fact or said amount may be ordered added to future rents, or that all or

any portion of a heretofore operative rent increase is not justified, the landlord shall be ordered to pay that cumulative amount to the tenant petitioner within five days of the mailing of the findings of fact or said amount may be ordered offset against future rents.

(8) Finality of Hearing Officer's Decision. The decision of the hearing officer shall be final unless the Board vacates his decision on appeal.

(f) Appeals.

(1) Time and Manner. An appeal to the Board from the determination of the hearing officer may be made within fifteen (15) days of the mailing of the findings of fact. The appeal shall be in writing and must state why appellant believes there was either error or abuse of discretion on the part of the hearing officer. The filing of an appeal will not stay the effect of the hearing officer's decision.

(2) Record on Appeal. Upon receipt of an appeal, the entire administrative record of the matter, including the appeal, shall be filed with the Board.

(3) Appeals. The Board shall, in its discretion, hear appeals. In deciding whether or not to hear a given appeal, the Board shall consider, among other factors, fairness to the parties, hardship to either party, and promoting the policies and purposes of this chapter, in addition to any written comments submitted by the hearing officer whose decision is being challenged. The Board may also review other material from the administrative record of the matter as it deems necessary. A vote of three (3) members shall be required in order for an appeal to be heard.

/ / /

(4) Remand to Hearing Officer without Appeal Hearing. In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer has erred, the Board may remand the case for further hearing in accordance with its instructions without conducting an appeal hearing. Both parties shall be notified as to the time of the re-hearing, which shall be conducted within thirty (30) days of remanding by the Board. In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer's findings contain numerical or clerical inaccuracies, or require clarification, the Board may continue the hearing for purposes of re-referring the case to said hearing officer in order to correct the findings.

(5) Time of Appeal Hearing; Notice to Parties. Appeals accepted by the Board shall be heard within forty-five (45) days of the filing of an appeal. Within thirty (30) days of the filing of an appeal, both parties shall be notified in writing as to whether or not the appeal has been accepted. If the appeal has been accepted, the notice shall state the time of the hearing and the nature of the hearing. Such notice must be mailed at least ten (10) days prior to the hearing.

(6) Appeal Hearing; Decision of the Board. At the appeal hearing, both appellant and respondent shall have an opportunity to present oral testimony and written documents in support of their positions. After such hearing and after any further investigation which the Board may deem necessary, the Board may, upon hearing the appeal, affirm, reverse or modify the hearing officer's decision or may remand the case for further hearing in accordance with its findings. The Board's decision must be rendered within forty-five (45) days of the

hearing and the parties must be notified of such decision.

(7) Notification of the Parties. In accordance with item (6) above, parties shall receive written notice of the decision. The notice shall state that this decision is final.

3/11/91

Section 2. The Board is instructed to prepare a notification to landlords of the policy changes reflected in this ordinance regarding the pass-through of excess use charges, and to provide the notification to the Water Department for reproduction and distribution through the Water Department's bill insert program.

ep

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 11, 1991	§	March 18, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Hallinan Kennedy Maher Migden	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Maher Migden Shelley
	§	
Noes: Supervisors Britt	§	Noes: Supervisors Britt Hsieh
	§	
Absent: Supervisors Gonzalez Hsieh Shelley Ward	§	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
109-88-3

MAR 21 1991
Date Approved

Mayor

FILE NO. 9-90-3 ORDINANCE NO. 103-91

(STREET ACCEPTANCE)

ACCEPTING ROADWAYS, INCLUDING CURBS, OF ELEVEN BLOCKS OF CALIFORNIA STREET, A DEDICATED PUBLIC RIGHT-OF-WAY, FROM THIRD AVENUE TO FOURTH AVENUE, FROM FIFTH AVENUE TO TWELFTH AVENUE, FROM FUNSTON AVENUE TO FOURTEENTH AVENUE, FROM FIFTEENTH AVENUE TO SIXTEENTH AVENUE, AND FROM NINETEENTH AVENUE TO TWENTIETH AVENUE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Department of Public Works Order No. 155,666 and Section 7.601 of the Charter, the roadways and curbs of the following designated streets are hereby accepted by the City and County of San Francisco.

California Street - from 3rd Avenue to 4th Avenue

California Street - from 5th Avenue to 6th Avenue

California Street - from 6th Avenue to 7th Avenue

California Street - from 7th Avenue to 8th Avenue

California Street - from 8th Avenue to 9th Avenue

California Street - from 9th Avenue to 10th Avenue

California Street - from 10th Avenue to 11th Avenue

California Street - from 11th Avenue to 12th Avenue

California Street - from Funston Avenue to 14th Avenue

California Street - from 15th Avenue to 16th Avenue

California Street - from 19th Avenue to 20th Avenue

RECOMMENDED:

Director of Public Works

APPROVED:

Chief Administrative Officer

DESCRIPTION APPROVED:

City Engineer

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney
By

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Gonzalez Hsieh Shelley Ward	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 9-90-3

MAR 21 1991
Date Approved

Mayor

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FILE NO. 97-91-10 ORDINANCE NO. 104-91

[Fingerprint Identification Fund]

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-108 THERETO, CREATING A SPECIAL FUND FOR THE SAN FRANCISCO'S FINGERPRINT IDENTIFICATION SYSTEM BY PLACING IN A SPECIAL FUND THE PROCEEDS OF A SURCHARGE OF FIFTY CENTS ($.50) FOR EVERY TEN DOLLARS ($10) COLLECTED FOR CERTAIN FINES, PENALTIES, AND FORFEITURES IMPOSED AND COLLECTED BY THE COURTS FOR CRIMINAL OFFENSES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The San Francisco Board of Supervisors hereby finds as follows:

1. California Government Code Section 76383 provides that the Board of Supervisors may establish in the treasury of the City and County of San Francisco a County Automated Fingerprint Fund to provide for an adequate fingerprint identification system.

2. California Government Code Section 76383 provides that upon the establishment of a County Automated Fingerprint Fund, there shall be levied and deposited with the county treasurer for placement in said fund an additional amount of fifty cents ($.50) for every ten dollars ($10) or fraction which shall be collected together with and in the same manner as the assessment established by Penal Code Section 1464, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except for offenses relating to parking or registration or offenses by pedestrians or bicyclists, or where an order is made to pay a sum to the general fund of the county pursuant to paragraph (iii) of subdivision (3) of Section 258 of the Welfare and Institutions Code.

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3. The establishment of such a County Automated Fingerprint Fund is necessary to reimburse the City for the purchase of its automated fingerprint system and to adequately maintain and operate its system.

NOTE: The following section is entirely new.

Section 2. Chapter 10 of the San Francisco Administrative Code is hereby amended by adding Section 10.117-108 thereto, reading as follows:

Section 10.117-108. San Francisco Automated Fingerprint Identification Fund.

(a) Establishment of Fund. Pursuant to California Government Code Section 76383, there is hereby established in the treasury of the City and County of San Francisco the San Francisco Automated Fingerprint Identification Fund.

(b) Appropriation of Monies. The monies in the fund including interest earnings, are hereby appropriated exclusively for the purposes set forth in subsection (e) of this section.

(c) Interest. Interest earned from the fund shall become part of the principal thereof, and not be expended for any purpose other than those set forth in subsection (e) of this section.

(d) Accrual of Monies in Fund. The balance remaining in the fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.311 of the Charter and shall be carried forward and accumulated in the fund for the purposes recited herein.

(e) Authorization to Expend. Monies in the San Francisco Automated Fingerprint Identification Fund shall be used for the following purposes:

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(1) The purchase, lease, operation, including personnel and related costs, and maintenance of automated fingerprint equipment.

(2) The replacement of existing automated fingerprint equipment.

(3) The reimbursement of funds which have previously been expended by the City for the purchase leasing operation or maintenance of existing automated fingerprint equipment.

3/6/91 jll All expenditures of monies from this Fund are subject to appropriation by the Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kinealey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Gonzalez Hsieh Shelley Ward	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-10

MAR 21 1991
Date Approved

Mayor

FILE NO. 101-90-67

ORDINANCE NO. 105-91

RO #90199 SA #109

(GOVERNMENT FUNDING)

APPROPRIATING $400,000 FOR SERVICES OF OTHER DEPARTMENTS - POLICE SECURITY, MUNICIPAL RAILWAY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-001	Municipal Railway Operating Fund		
G.L. 491 (023010)	Unappropriated Revenue Retained		
Subsidiary 000026	Federal Budget Reduction Reserve	$400,000	
35-02-00	Municipal Railway - Management		
30-3000 (560946)	Services of other Departments - Police Security		$400,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM80)

Board of Supervisors, San Francisco

Passed for Second Reading

March 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 18, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley

Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-67

MAR 21 1991

Date Approved

Mayor

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3/6/91 - As amended in Committee

FILE NO. 101-90-64

ORDINANCE NO. 102-91

RO #90194 SA #114

(Government Funding)

APPROPRIATING $2,568,280 FOR JUDGMENT AND CLAIMS (ATTORNEYS' FEES), FIRE

3/6/91 jll DEPARTMENT FOR FISCAL YEAR 1990-91; PLACING $2,568,280 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000061	Reserve For Litigation	$2,568,280	
31-03-00	Fire Department		
Project 117-01	Consent Decree		
14-1450 (333203)	Judgment and Claims		$2,568,280

3/6/91 jll Section 2. Funds in the amount of $2,568,280 for an award granted for attorneys' fees are hereby placed on reserve pending the resolution of an appeal of the award to be filed by the City Attorney, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Gockeyoty
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Gonzalez Hsieh Shelley Ward	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

File No. 101-90-64

MAR 21 1991
Date Approved

Mayor

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3/6/91 - As amended in Committee

FILE NO. 101-90-74

ORDINANCE NO. 107-91

RO #90215 SA #124

(GOVERNMENT FUNDING)

APPROPRIATING $70,000 FOR PERMANENT SALARIES, TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, OTHER CONTRACTUAL SERVICES, TRAVEL, OTHER CURRENT SERVICES AND MATERIALS AND SUPPLIES, FOR THE CREATION OF TWO (2) POSITIONS, PUBLIC ADMINISTRATOR FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000063	Day Laborers Program Reserve	$ 70,000	
79-00-00	Public Administrator		
Project 029-01	Day Laborers Program		
01-0010 (429084)	Permanent Salaries		$ 51,246
02-0200	Temporary Salaries		3,328
04-0606	Social Security		3,048
04-0610	Health Service		1,838
10-1090	Other Contractual Services		2,947
10-1120	Travel		500
10-1200	Other Current Services		3,724
11-1300	Materials and Supplies		3,369
	Total	$ 70,000	$ 70,000

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Section 2. Funds are hereby appropriated for two (2) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-16) as follows:

Fund: General Fund
Department: Public Administrator

Classification	Rate	Created
3/6/91 jll 9734-~~NI~~Staff Assistant I	$1059 B 1059	1
3/6/91 jll 9732-~~NI~~Staff Aide II	912 B 912	1
	Total	2

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: BSLt
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

ac(1035ADM/87&88)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 11, 1991	§	March 18, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
	§	
	§	
Absent: Supervisors Gonzalez Hsieh Shelley Ward	§	Absent: Supervisors Kennedy Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-74

MAR 2 1 1991
Date Approved

Mayor

FILE NO. 102-90-16

PUBLIC EMPLOYMENT

ORDINANCE NO. 108-91

SAL.ORD.AMEND.NO. 16

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF TWO POSITIONS IN THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordiance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	79 Public Administrator Guardian	
		Division:	00 Public Administrator-Guardian	
		Section:	00 Public Administrator-Guardian	
		Program:	1902 Public Administrator	
		Fund:	01001 General Fund	
		Index:	429084 Day Laborers' Program	
		Proj/Phase:	029101 Day Laborers' Program	
		Object:	001 Permanent Salaries-Misc.	
3/6/91 jll 1 added	1	9734-AL	Staff Assistant I, Special Project.....SC	$1059B1059
3/6/91 jll 1 added	1	9732-AL	Staff Aide II, Special Project.....SC	$ 912B912

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Late
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
Absent: Supervisors Gonzalez Hsieh Shelley Ward	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-90-16

MAR 21 1991
Date Approved

Mayor

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FILE NO. 101-90-66 ORDINANCE NO. 109-91

RO #90190 SA #90

(Government Funding)

3/6/91 jll APPROPRIATING ~~$56,342~~ $44,910 FOR PERMANENT SALARIES - MISCELLANEOUS AND NURSES, MANDATORY FRINGE BENEFITS, EQUIPMENT PURCHASE AND DATA/WORD PROCESSING EQUIPMENT AND RESCINDING $639 FROM PERMANENT SALARIES-NURSES, FOR THE CREATION OF EIGHT (8) POSITIONS AND DELETION OF FOUR (4) POSITIONS, PUBLIC HEALTH - DMSF FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Reserve		
G.L. 904 (000026)	Unappropriated Revenue Reserved	$ 44,271	
3/6/91 jll Subsidiary 000067	Child Sexual Abuse/Assault Reserve	~~$ 55,703~~	
87-23-07	Child CASARC Program		
01-0050 (731604)	Permanent Salaries - Nurses	639	
3/6/91 jll 01-0010	Permanent Salaries - Miscellaneous		$ 27,286 ~~$ 36,603~~
3/6/91 jll 04-0600	Retirement		4,093 ~~5,380~~
3/6/91 jll 04-0606	Social Security		2,087 ~~2,744~~
04-0610	Health Service		2,446
04-0620	Unemployment Insurance		35
22-2200	Equipment Purchase		2,400
22-2310	Data/Word Processing Equipment		5,300
3/6/91 jll	Total - Child CASARC Program		$ 43,647 ~~$ 54,808~~
87-24-07	Rape Treatment Center		
3/6/91 jll 01-0050 (731596)	Permanent Salaries - Nurses		$ 1,029 ~~$ 1,250~~
3/6/91 jll 04-0600	Retirement		154 ~~187~~
3/6/91 jll 04-0610	Social Security		79 ~~96~~
04-0620	Unemployment Insurance		1
3/6/91 jll	Total - Rape Treatment Center		$ 1,263 ~~$ 1,534~~
3/6/91 jll	Grand Total	$ 44,910 ~~$ 56,342~~	$44,910 ~~$ 56,342~~

Section 2. Funds are hereby appropriated for eight (8) positions created and four (4) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-90-11) as follows:

FUND: GENERAL FUND
DEPARTMENT: PUBLIC HEALTH - DMSF

CLASSIFICATION:	RATE	CREATED	DELETED
2930 C Psychiatric Social Worker	$ 1491 B 1809	1	
1424 ~~N~~ Clerk Typist	$ 850 B 1027	1	
3/6/91 jll 2930 N Psychiatric Social Worker	$ 1491 B 1809	~~2~~ 1	
2574 ~~N~~ C Clinical Psychologist	$ 1756 B 2135	1	
2328 ~~N~~ C Nurse Practitioner	$ 1853 B 2314	1	
2320 ~~A~~ S Registered Nurse	$ 1646 B 1926	2	
2322 H Head Nurse	$ 1955 B 2518	1	
2320 B Registered Nurse	$ 1646 B 1926		3
2328 N Nurse Practitioner	$ 1853 B 2314		1
	Total	8	4

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 11, 1991	§	March 18, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
	§	
Absent: Supervisors Gonzalez Hsieh Shelley Ward	§	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-90-66

MAR 21 1991
Date Approved

Mayor

FILE NO. 102-90-11 ORDINANCE NO. 110-91

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 12

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF EIGHT POSITIONS AND THE DELETION OF FOUR POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY MENTAL HEALTH.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	87 Community Mental Health	
		Division:	23 CMHS Children's Services	
		Section:	07 Child CASARC Prog	
		Program:	4272 CMHS Geriatrics	
		Fund:	01001 General Fund	
		Index:	731604 Child CASARC Prog	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
3/6/91 jll 1 added	1	1424 ~~N~~ C	Clerk Typist.....SC	$ 850B1027
3/6/91 jll 1	1			
3/6/91 jll ~~2~~ added	~~2~~	2930 N	Psychiatric Social Worker.....Z,SC	1491B1809
3/6/91 jll 1 added	1	2930 C	Psychiatric Social Worker.....Z,SC	1491B1809
3/6/91 jll 1 added	1	2574 ~~N~~ C	Clinical Psychologist.....Z,SC	1756B2135
		Object:	005 Permanent Salaries-Nurses	
				Note
3/6/91 jll 3 abolished	1	2320 B	Registered Nurse.....	1646B1926 14
3/6/91 jll 2 added	2	2320 ~~N~~ S	Registered Nurse.....SC	1646B1926 14
3/6/91 jll 1 added	1	2328 ~~N~~ C	Nurse Practitioner.....SC	1853B2314 14
		Dept.:	87 Community Mental Health	
		Division:	24 CMHS Geriatrics	
		Section:	07 Ger Res Sts Prog	
		Program:	4272 CMHS Geriatrics	
		Fund:	01001 General Fund	
		Index:	731596 Ger Res Sts Prog	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	005 Permanent Salaries-Nurses	Note
1 abolished	0	2328 N	Nurse Practitioner.....SC	1853B2314 14
1 added	1	2322 W	Head Nurse.....SC	1955B2518 14

/

/

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

by: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 12

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Civil Service Commission
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 11, 1991	§	March 18, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
	§	
Absent: Supervisors Gonzalez Hsieh Shelley Ward	§	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-90-11

MAR 21 1991
Date Approved

Mayor

FILE NO. 101-90-68 ORDINANCE NO. 111-91

RO #90204 SA #111

(Government Funding)

APPROPRIATING $2,471,362 FOR PERMANENT SALARIES - MISCELLANEOUS, RELATED MANDATORY FRINGE BENEFITS, MEDICAL SERVICE CONTRACTS, MATERIALS AND SUPPLIES AND PROGRAMMATIC EXPENDITURES, FOR THE CREATION OF FIVE (5) POSITIONS, PUBLIC HEALTH FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL; PLACING ON RESERVE $150,000 FOR EQUIPMENT-AIDS ADMINISTRATIVE OFFICE, $131,191 FOR AIDS-HCSS CONTRACT OFFICE AND $485,584 FOR AIDS-HCSS MIS; PENDING EIPSC APPROVAL; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000053	AIDS/HIV Health Care Reserve	$ 2,350,000	
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	121,362	
83-03-01	AIDS Administrative Office		
01-0010 (738388)	Permanent Salaries - Miscellaneous		$ 29,197
04-0600	Retirement		4,380
04-0606	Social Security		2,234
04-0610	Health Service		1,138
04-0620	Unemployment Insurance		29
10-1010	Medical Service Contracts		1,534,195
11-1300	Materials and Supplies		25,000
	Total AIDS Administrative Office		$1,596,173
83-03-01	AIDS Service Projects		
Project 101-10	Health Promotion		
11-1300 (735233)	Materials and Supplies		$ 23,092
Project 101-20	AIDS - HCSS Contracts Office		
10-1030 (735233)	EDP Service - EIPSC AND PROP J/CSC		$ 131,191
Project 101-25	AIDS - HCSS M.I.S.		
10-1050 (735233)	Data/Word Processing Professional Services		$ 113,195
10-1090	Other Contractual Services		8,859
20-2310	Data/Word Processing Equipment		363,530
	Total-MIS		$ 485,584
Project 101-26	AIDS - HCSS Forensics		
11-1300 (735233)	Materials and Supplies		$ 33,000
Project 101-30	AIDS - Early Intervention		
01-0010 (735233)	Permanent Salaries - Miscellaneous		$ 8,670
01-0050	Permanent Salaries - Nurses		17,570
04-0600	Retirement		6,429
04-0606	Social Security		3,083
04-0610	Health Service		1,138
04-0620	Unemployment Insurance		40
10-1000	Professional Service Contracts		100,467
	Total-Aids Early Intervention		$ 137,397
	Grand Total Public Health - AIDS		$2,406,437
99-00-00	General Fund - Unallocated		
48-4700 (876789)	Contribution Transfer Out to #		
	36-001 Hospital Operating Fund;		
	86-01-00 S.F.General Hospital		$ 64,925
	Total General Fund	$2,471,362	$2,471,362
36-001	S.F.General Hospital Operating Fund		
86-01-00	Acute Operations		
98-9701 (199471)	Contribution Transfer In from #		
	01-001 General Fund; #		
	99-00-00 General Fund Unallocated	$ 64,925	
Project 110-01	Ward 86 AIDS Support Services		
10-1020 ( )	Professional Services - PropJ/CSC		$ 34,925
22-2200	Equipment Purchase		30,000
	Total	$ 64,925	$ 64,925

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Section 2. Funds are hereby appropriated for five (5) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No102-90-13) as follows:

FUND	GENERAL FUND		
DEPARTMENT	PUBLIC HEALTH		
CLASSIFCATION		RATE	CREATED
2802N Epidemiologist I		$1342 B 1626	1
2246N Asst. Dir. Clinical Svs.		2053 B 2496	1
2230C Physician Specialist		2571 B 3126	1
2908N Hospital Eligibility Worker		1114 B 1349	1
2328N Nurse Practitioner		1853 B 2314	1
	Total		5

Section 3. This Ordinance is adopted by two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by budget estimate and denied by the Board of Supervisors.

Section 4. Funds are hereby placed on reserve for $150,000 for equipment - Aids Administrative Office $131,191 for AIDS-HCSS contract office and $485,584 for AIDS-HCSS MIS, to be released by the Finance Committee.

Section 5. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel A. Yockey Jr.
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1991	March 18, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley
	Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-68

MAR 21 1991
Date Approved

Mayor

2/27/91 - As amended in Committee

FILE NO. 102-90-13

ORDINANCE NO. 112-91

PUBLIC EMPLOYMENT

SAL.ORD.AMEND.NO. 11

2/27/91 jll

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ~~SIX~~ five POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department:	83 Public Health Central Office	
		Division:	03 AIDS	
		Section:	01 AIDS Administrative Office	
		Program:	4120 Public Health AIDS	
		Fund:	01001 General Fund	
		Index:	732388 AIDS Administrative Office	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	2246 A	Asst. Director of Clinical Services I	Z,SC $2053B2496
1 added	1	2802 A	Epidemiologist I	Z,SC 1342B1626
1 added	1	2230 C	Physician Specialist	Z,SC 2571B3126
1 added	1	2908 A	Hospital Eligibility Worker	1114B1349
		Object:	005 Permanent Salaries-Nurses	
1 added	1	2328 A	Nurse Practitioner	1853B2314 Note 14
		Dept.:	86 San Francisco General Hospital	
		Division:	01 General	
		Section:	00 General Division	
		Program:	4101 Acute Operations	
		Fund:	36001 Hospital Operating Fund	
		Index:	462580 Acute Operations	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
~~1 added~~	~~1~~	~~2232 A~~	~~Senior Physician Specialist~~	~~Z,SC $2700B3282~~

2/27/91 jll

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R Lakey

Board of Supervisors, San Francisco

Passed for Second Reading
March 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed
March 18, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley

Absent: Supervisors Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 102-90-13

MAR 21 1991
Date Approved

Mayor

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FILE NO. 101-90-58

ORDINANCE NO. 113-91

RO #90179 SA #107

(GOVERNMENT FUNDING)

BOARD OF SUPERVISORS,

APPROPRIATING $14,000 FOR OTHER CONTRACTUAL SERVICES,/FOR FISCAL YEAR 1990-91;

PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 14,000	
01-01-00	Board of Supervisors		
10-1269 (300012)	Other Contractual Services		$ 14,000

Section 2. Although the city has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

ac(1035ADM78)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Gonzalez	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-58

APR 2 1991
Date Approved

Mayor

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FILE NO. 45-91-9

ORDINANCE NO. 114-91

RO #90214

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BONITA SEBASTIAN TRUMBULE AGAINST THE CITY AND COUNTY OF SAN FRNACISCO FOR $12,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "BONITA SEBASTIAN TRUMBULE V. THE CITY AND COUNTY OF SAN FRANCISCO, ET AL.," Municipal Court NO. 044-527, by the payment of $12,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

RICARDO HERNANDEZ
Public Administrator/Public Guardian

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

FUNDS AVAILABLE:

CONTROLLER
01 001 97 09 79
309625 1450 $12,000.00

FEB 22 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-9

APR 2 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 15 1991
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FILE NO. 45-91-10

ORDINANCE NO. 115-91

RO #90213

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LEOLA GARDNER IN THE CASE OF "LEOLA GARDNER v. THE CITY AND COUNTY OF SAN FRANCISCO" FOR $60,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the complaint brought by Leola Gardner in the case of "LEOLA GARDNER v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 833-652, by the payment of $60,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

WILLIS CASEY
Chief

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 38
309781 1450 $60,000.00

FEB 22 1991

APPROVED:

SECRETARY
Police Commission

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 18, 1991	§	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-10

APR 2 1991
Date Approved

Mayor

APR 15 1991
PUBLIC LIBRARY

FILE NO. 45-91-11

ORDINANCE NO. 116-91

RO #90206

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROBERT SORENSON AND DANITA SORENSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ROBERT SORENSON AND DANITA SORENSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 914-775, by the payment of $7,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

BOARD OF PERMIT APPEALS

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 37
310276 1450 $7,000.00

FEB 22 1991

APPROVED:

ROBERT H. FELDMAN
Director

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-11

APR 2 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 15 1991
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FILE NO. 45-91-12 ORDINANCE NO. 117-91

RO #90218

[Settlement of Lawsuit]

AUTHORIZATION SETTLEMENT OF LITIGATION OF RICKY ODOMS, et al. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $25,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "RICKY ODOMS, et al. vs. CITY AND COUNTY OF SAN FRANCISCO, et al.", Superior Court No. 893-313 by the payment of $25,000.00.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Kimberly A. Kelly
Deputy City Attorney

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

Mary E. Burns
MARY BURNS, Director

FUNDS AVAILABLE:

Samuel D. Yockey
SAMUEL YOCKEY
Controller

01 001 97 09 42
620245 1450 $25,000.00

APPROVED:

RECREATION AND PARK COMMISSION

Secretary of the Commission

9276g

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 18, 1991	§	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-12

APR 2 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 15 1991
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FILE NO. 46-91-5 ORDINANCE NO. 118-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF ERNEST EAST V. FLYER INDUSTRIES, BOSTROM SEATING, INC.,ET AL., UPON RECEIPT OF THE SUM OF $2,000.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 857890 entitled "Ernest East, Plaintiff, v. Flyer Industries, Bostrom Seating, Inc., et al., Defendants" by acceptance of the sum of $2,000.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $2,000.00 and appropriate paperwork, the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Barnard L. Weinstein
for KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 18, 1991	§	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-91-5

APR 2 1991
Date Approved

Mayor

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FILE NO. 46-91-6 ORDINANCE NO. 119-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF PAUL BELLAZAIN V. ARMORED TRANSPORT OF CALIFORNIA, INC., ET AL., UPON RECEIPT OF THE SUM OF $2,400.00 AND RELEASE OR TRANSFER OF LIEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 854250 entitled "Paul Bellazain, Plaintiff, v. Armored Transport of California, Inc., et al., Defendants" by acceptance of the sum of $2,400.00 from the defendants and releasing or transferring lien.

Section 2. Upon receipt of said sum of $2,400.00 and appropriate paperwork, the City Attorney is authorized to release or transfer said lien.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By [signature]
for KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By [signature]
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
46-91-6

APR 2 1991
Date Approved

[signature]
Mayor

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FILE NO. 65-91-1 ORDINANCE NO. 120-91

(Lease Modification)

CONFIRMING THE APPROVAL OF THE FIRST SUPPLEMENTAL AGREEMENT IN MODIFICATION OF LEASE TO THE PRESENT 10 YEAR LEASE WITH OPTION TO EXTEND THE TERM FOR AN ADDITIONAL TEN (10) YEAR PERIOD FOR PURPOSE OF PARKING AND LANDSCAPING BY AND BETWEEN CITY AND COUNTY OF SAN FRANCISCO, LESSOR, AND No. 1 NB PARTNERS, LESSEE, ON SAN FRANCISCO WATER DEPARTMENT LAND LOCATED IN SANTA CLARA COUNTY.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the First Supplemental Agreement in Modification of that certain 10 year Lease with option to extend the term for an additional ten (10) year period for purpose of parking and landscaping by and between City and County of San Francisco, Lessor, and No. 1 NB Partners, Lessee, approved by Public Utilities Commission Resolution No. 91-0051 adopted on February 12, 1991 for land under the jurisdiction of San Francisco Water Department located in Santa Clara County is hereby confirmed for approval.

APPROVED AS TO FORM:

LOUISE RENNE, City Attorney

By George Agnew
Deputy City Attorney

PUC Resolution No. 91-0051

Adopted: February 12, 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 65-91-1

APR 2 1991
Date Approved

Mayor

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FILE NO. 97-91-9 ORDINANCE NO. 121-91

(Official Memberships)

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-9 THEREOF TO ADD FOURTEEN ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE DEPARTMENT OF PUBLIC WORKS.

NOTE: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I, Section 16.6-9 of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 16.6-9 REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - DEPARTMENT OF PUBLIC WORKS.

Air Pollution Control Association.

American Academy of Environmental Engineers.

American Concrete Institute.

American Conference of Governmental Industrial Hygienist.

American Industrial Hygiene Association.

American Institute of Architects.

American Institute of Steel Construction.

American Iron and Steel Institute.

American Public Health Association.

American Public Works Association.

American Society for Testing and Materials.

American Society of Civil Engineers.

American Society of Heating,Refrigeration and Air Conditioning Engineers.

American Society of Mechanical Engineers.

American Society of Safety Engineers.

Applied Technology Council.

Association for Systems Management.

Association of Computer Machinists.

Association of Major City Building Officials.

Association of Small Systems Users.

California Association of Code Enforcement Officers for Housing Inspection.

California Chapter, International Conference of Building Officials.

California Counties Facilities Maintenance Association.

California Water Pollution Control Association.

Certified Boiler and Elevator Inspectors.

COMMON-IBM System User Group.

Construction Specifications Institute.

County Building Officials Association of California.

Data Processing Management Association.

Government Refuse Collection and Disposal Association.

Highway Research Board.

Institute of Electrical and Electronic Engineers.

Institute of Traffic Engineers.

International Association of Electrical Inspectors.

International Association of Plumbing and Mechanical Officials.

International Conference of Building Officials.

International Public Works Federation.

International Shade Tree Conference.

National Association for Information and Image Management.

National Association of Housing and Redevelopment Officials.

National Conference of States on Building Codes and Standards Inc.

National Electrical Contractors Association.

National Fire Protection Association.

National Institute of Building Sciences.

National Safety Council.

National Safety Management Society.

Northern California Chapter, American Institute of Architects.

Pacific Southwest Regional Council, National Association of Housing and Redevelopment Officials.

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Pre-Stress Concrete Institute.

San Francisco Committee on Corrosion.

Seismological Society of America.

Sheet Metal and Air Conditioning Contractors National Association.

Society for Fire Protection Engineers.

Society of Public Health Educators.

Structural Engineers Association of Northern California.

Water Pollution Control Federation.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

RECOMMENDED:

_____
Director of Public Works

APPROVED:

_____
Chief Administrative Officer

Director
Department of Public Works
Room 260, City Hall

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-91-9

APR 2 1991
Date Approved

_____
Mayor

FILE NO. 97-91-13 ORDINANCE NO. 132-91

(Professional Memberships)

ORDINANCE AMENDING ARTICLE I, CHAPTER XVI OF THE SAN FRANCISCO ADMINISTRATIVE CODE, BY ADDING SECTION 16.6-60 THERETO, TO AUTHORIZE THE DEPARTMENT OF ANIMAL CARE AND CONTROL TO JOIN CERTAIN ORGANIZATIONS.

Note: All language is new; additions and or substitutions have not been underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article I, Chapter XVI of the San Francisco Administrative Code is hereby amended, by adding Section 16.6-60 thereto, to read as follows:

SEC. 16.6-60. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS -- DEPARTMENT OF ANIMAL CARE AND CONTROL.

The California Animal Control Director's Association
The National Animal Control Association
The Humane Society of the United States
The American Humane Association
The Society of Animal Welfare Administrators
The Fund for Animals
The American Association of Zoological Parks and Aquariums

/ / /
/ / /
/ / /
/ / /
/ / /

The American Veterinary Medical Association
The California Veterinary Medical Association
The San Francisco Veterinary Medical Association

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: JOHN RODDY
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 18, 1991	§	March 25, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Maher Migden Shelley	§	Kennedy Migden Shelley Ward
	§	
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
97-91-13

APR 2 1991
Date Approved

Mayor

3/13/91 - As amended in Committee.

FILE NO. 101-90-70

ORDINANCE NO. 123-91

RO #90207 SA #63

(Government Funding)

3/13/91 jll APPROPRIATING ~~$12,984~~ $12,348 FOR TRAVEL, TAX COLLECTOR FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
3/13/91 jll Subsidiary 000006	General Reserve	$ 12,348 ~~$ 12,984~~	
08-03-70	Tax Collector - Audit		
3/13/91 jll 10-1120 (558056)	Travel		$ 12,348 ~~$ 12,984~~

Section 1. This ordinance is adopted by two-thirds vote of all membersof the Board of Supervisors pursuant to Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-90-70

APR 2 1991
Date Approved

[signature]
Mayor

DOCUMENTS DEPT.
APR 15 1991

FILE NO. 101-90-71

ORDINANCE NO. 124-91

RO #90209 SA #104

(Government Funding)

APPROPRIATING $20,000 FOR OTHER CONTRACTUAL SERVICES, PUBLIC HEALTH FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 904 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000068	Chronic Fatigue Dysfunction Reserve	$ 20,000	
83-01-01	Public Health - Administration		
10-1090 (441006)	Other Contractual Services		$ 20,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-90-71

APR 2 1991
Date Approved

_____
Mayor

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FILE NO. 101-90-73

ORDINANCE NO. 125-91

RO #90208 SA #121

(GOVERNMENT FUNDING)

3/13/91 jll

APPROPRIATING ~~$70,047~~ $66,155 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, PROFESSIONAL SERVICES PROP J/CSC, TRAINING AND FIXED CHARGES AND RESCINDING PERMANENT SALARIES AND MANDATORY FRINGE BENEFITS, FOR THE CREATION OF ONE (1) POSITION, DISTRICT ATTORNEY - FAMILY SUPPORT BUREAU FOR FISCAL YEAR 1990-91.

3/13/91 jll ~~SUBJECT OF PREVIOUS BUDGETARY DENIAL.~~

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 44,826 ~~$ 48,718~~	
04-02-00	Family Support Bureau		
01-0010 (303610)	Permanent Salaries	16,516	$ 16,516
04-0600	Mandatory Fringe Benefits	4,813	4,813
10-1020	Professional Services Prop J/CSC		39,547 ~~43,439~~
10-1130	Training		475
10-1400	Fixed Charges		4,804
	Total	$ 66,155 ~~$ 70,047~~	$ 66,155 ~~$ 70,047~~

3/13/91 jll

Section 2. Funds are hereby appropriated for one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-12) as follows:

Fund: General Fund
Department: District Attorney - FSB

Classification	Rate	Created
8159 ~~A~~ L Family Support Investigator III	$1520 B 1844	1

3/13/91 jll

~~Section 3. This ordinance is adopted by two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by budget estimate and denied by the Board of Supervisors.~~

3/13/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel A. Yockey Jr.
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: _____
GENERAL MANAGER, PERSONNEL

ac(ADM1035/83&84)

APPROVED BY BOARD
APR 15 1991
PRESIDENT

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 18, 1991	§	March 25, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Maher Migden Shelley	§	Kennedy Migden Shelley Ward
	§	
Absent: Supervisors Kennedy Ward	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-73

APR 2 1991
Date Approved

Mayor

3/13/91 - As amended in Committee

FILE NO. 102-90-12
PUBLIC EMPLOYMENT

ORDINANCE NO. 126-91
SAL.ORD.AMEND.NO. 15-A

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ONE POSITION IN THE DISTRICT ATTORNEY'S OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	04 District Attorney	
		Division:	02 Family Support	
		Section:	00 Family Support	
		Program:	3123 Family Support Program	
		Fund:	01001 General Fund	
		Index:	303610 Family Support Program	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	8159-~~A~~ L	Family Support Investigator III	SC $1520B1844

3/13/91
jll

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

By: John L. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Saka
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading
March 18, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley

Absent: Supervisors Kennedy Ward

Finally Passed
March 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
102-90-12

APR 2 1991
Date Approved

Mayor

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FILE NO. 109-90-3 ORDINANCE NO. 127-91

[Rent Ordinance]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 37.3 AND 37.8 THEREOF TO DELETE THE SEPARATE REQUIREMENT THAT TENANTS BE NOTIFIED OF WHAT PORTION OF RENT INCREASE REFLECTS ANY BANKED INCREASE FROM PRIOR YEARS, TO ESTABLISH A MANDATORY TIME LIMIT FOR THE FILING OF CERTAIN TENANT PETITIONS, TO ESTABLISH A MANDATORY TIME LIMIT FOR APPEALS, WITH GOOD CAUSE EXCEPTION, TO ESTABLISH A STATUTE OF LIMITATIONS FOR JUDICIAL REVIEW, AND TO PERMIT LANDLORDS AND TENANTS TO CHALLENGE RENT PAYMENT, REFUND, OFFSETTING OR ADDING PRIOR TO THEIR TAKING EFFECT, AND TO CORRECT CLERICAL ERRORS.

Note: Additions or substitutions are <u>underlined</u>; deletions are indicated by ((double)) parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 37.3 and 37.8 thereof to read as follows:

SEC. 37.3. RENT LIMITATIONS.

(a) <u>Rent Increase Limitations for Tenants in Occupancy</u>. Landlords may impose rent increases upon tenants in occupancy only as provided below:

(1) <u>Annual Rent Increase</u>. On March 1 of each year, the Board shall publish the increase in the CPI for the preceding 12 months, as made available by the U.S. Department of Labor. A landlord may impose annually a rent increase which does not exceed a tenant's base rent by more than 60% of said published increase. In

/ / /

no event, however, shall the allowable annual increase be less than 4% or greater than 7%.

(2) <u>Banking</u>. A landlord who refrains from imposing an annual rent increase or any portion thereof may accumulate said increase and impose that amount on the tenant's subsequent rent increase anniversary dates. A landlord who, between April 1, 1982 and February 29, 1984, has banked an annual 7% rent increase (or rent increases) or any portion thereof may impose the accumulated increase on the tenant's subsequent rent increase anniversary dates.

(3) <u>Capital Improvements, Rehabilitation, and Energy Conservation Measures</u>. A landlord may impose rent increases based upon the cost of capital improvements, rehabilitation or energy conservation measures provided that such costs are certified pursuant to Section 37.7 below.

(4) <u>Utilities</u>. A landlord may impose increases based upon the cost of utilities as provided in Section 37.2(o) above.

3/18/91

(5) Charges Related to Excess Water Use. A landlord may impose increases not to exceed fifty percent of the excess use charges (penalties) levied by the San Francisco Water Department on a building for use of water in excess of Water Department allocations under the following conditions:

A. The landlord provides tenants with written certification that the following have been installed in all units: (1) permanently-installed retrofit devices designed to reduce the amount of water used per flush or low-flow toilets (1.6 gallons per flush); (2) low-flow showerheads which allow a flow of no more than 2.5 gallons per minute; and (3) faucet aerators (where installation on current faucets is physically feasible); and

/ / /

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B. The landlord provides the tenants with written certification that no known plumbing leaks currently exist in the building and that any leaks reported by tenants in the future will be promptly repaired; and

C. The landlord provides the tenants with a copy of the water bill for the period in which the penalty was charged. Only penalties billed for a service period which begins after the effective date of the ordinance may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good faith effort to appeal the allotment. Increases based upon penalties shall be pro-rated on a per room basis provided that the tenancy existed during the time the penalty charges accrued. Such charges shall not become part of a tenant's base rent. Where a penalty in any given billing period reflects a 25% or more increase in consumption over the prior billing period, and where that increase does not appear to result from increased occupancy or any other known use, a landlord may not impose any increase based upon such penalty unless inspection by a licensed plumber or Water Department inspector fails to reveal a plumbing or other leak. If the inspection does reveal a leak, no increase based upon penalties may be imposed at any time for the period of the unrepaired leak.

ep

(6) RAP Loans. A landlord may impose rent increases attributable to the Chief Administrative Officer's amortization of the RAP loan in an area designated on or after July 1, 1977 pursuant to Chapter 32 of the San Francisco Administrative Code.

(7) Additional Increases. A landlord who seeks to impose

any rent increase which exceeds those permitted above shall petition for a rental arbitration hearing pursuant to Section 37.8 of this Chapter.

(b) Notice of Rent Increase for Tenants in Occupancy. On or before the date upon which a landlord gives a tenant legal notice of a rent increase, the landlord shall inform the tenant, in writing, of the following:

(1) Which portion of the rent increase reflects the annual increase((;)), and/or a banked amount, if any;

(((2) Which portion of the rent increase reflects a banked amount, if any, pursuant to Section 37.3(a)(2);))

(((3))) (2) Which portion of the rent increase reflects costs for capital improvements, rehabilitation, or energy conservation measures certified pursuant to Section 37.7;

(((4))) (3) Which portion of the rent increase reflects the passthrough of charges for gas and electricity, which charges shall be explained;

(((5))) (4) Which portion of the rent increase reflects the amortization of the RAP loan, as described in Section 37.3(a)(5) above.

(((6))) (5) Nonconforming Rent Increases. Any rent increase which does not conform with the provisions of this section shall be null and void.

(c) Initial Rent Limitation for Subtenants. A tenant who subleases his or her rental unit may charge no more rent upon initial occupancy of the subtenant or subtenants than that rent which the tenant is currently paying to the landlord.

/ / /

/ / /

/ / /

SEC. 37.8. ARBITRATION OF RENTAL INCREASE ADJUSTMENTS.

(a) Authority of Board and Hearing Officers. In accordance with such guidelines as the Board shall establish, the Board and designated hearing officers shall have the authority to arbitrate rental increase adjustments and to administer the rent increase protest procedures with respect to RAP rental units as set forth in Chapter 32 of the San Francisco Administrative Code.

(b) Request for Arbitration.

(1) Landlords. Landlords who seek to impose rent increases which exceed the limitations set forth in Section 37.3(a) above must request an arbitration hearing as set forth in this section. The burden of proof is on the landlord.

(2) Tenants.

(A) Notwithstanding Section 37.3, tenants of non-RAP rental units and tenants of RAP rental units in areas designated on or after July 1, 1977 may request arbitration hearings where a landlord has substantially decreased services without a corresponding reduction in rent and/or has failed to perform ordinary repair and maintenance under state or local law and/or has failed to provide the tenant with a clear explanation of the current charges for gas and electricity passed through to the tenant. The burden of proof is on the tenant.

(B) Tenants of RAP rental units in areas designated prior to July 1, 1977 may petition for a hearing where the landlord has noticed an increase which exceeds the limitations set forth in Section 32.73 of the San Francisco Administrative Code. After a vacancy has occurred in a RAP rental unit in said areas, a new tenant of said unit may petition for a hearing where the landlord has demanded and/or received a rent

for that unit which exceeds the rent increase limitation set forth in Section 32.73 of the San Francisco Administrative Code. The burden of proof is on the landlord.

(c) Procedure for Landlord Petitioners.

(1) Filing. The request for arbitration must be filed on a petition form prescribed by the Board and shall be accompanied by such supporting material as the Board shall prescribe, including but not limited to, justification for the proposed rental increase.

(2) Filing Date. The petition must be filed prior to the mailing or delivering to the tenant or tenants legal notice of the rental increase exceeding the limitations as defined in Section 37.3.

(3) Effect of Timely Filing of Petition. Provided a completed petition is timely filed, that portion of the requested rental increase which exceeds the limitations set forth in Section 37.3 and has not been certified as a justifiable increase in accordance with Section 37.7 is inoperative until such time as the hearing officer makes findings of fact at the conclusion of the arbitration hearing.

(4) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing.

(d) Procedure for Tenant Petitioners.

(1) Filing((.)): Limitation. The request for arbitration must be filed on a petition form prescribed by the Board and must be accompanied by such supporting material as the Board shall prescribe, including but not limited to, a copy of the landlord's notice of rent increase. If the tenant petitioner has received certification findings regarding his rental unit in accordance with

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37.7, such findings must accompany the petition. If the tenant petitioner has received a notification from the Chief Administrative Officer with respect to base rent and amortization of a RAP loan, such notification must accompany the petition. Tenant petitions regarding the gas and electricity passthrough must be filed within one year of the effective date of the passthrough or within one year of the date the passthrough was required to be recalculated pursuant to rules and regulations promulgated by the Board.

(2) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing. Responses to a petition for hearing may be submitted in writing.

(e) Hearings.

(1) Time of Hearing. The hearing must be held within forty-five (45) days of the filing of the petition. The level of housing services provided to tenants' rental units shall not be decreased during the period between the filing of the petition and the conclusion of the hearing.

(2) Consolidation. To the greatest extent possible, hearings with respect to a given building shall be consolidated.

(3) Conduct of Hearing. The hearing shall be conducted by a hearing officer designated by the Board. Both parties may offer such documents, testimony, written declarations or other evidence as may be pertinent to the proceedings. A record of the proceedings must be maintained for purposes of appeal.

(4) Determination of the Hearing Officer: Rental Units. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to whether or not the landlord's proposed

rental increase exceeding the limitations set forth in Section 37.3 is justified or whether or not the landlord has effected a rent increase through a reduction in services or has failed to perform ordinary repair and maintenance as required by state or local law. In making such findings, the hearing officer shall take into consideration the following factors:

(A) Increases or decreases in operating and maintenance expenses, including, but not limited to, real estate taxes, sewer service charges, janitorial service, refuse removal, elevator service, security system, and debt service; provided, however, when a unit is purchased after the effective date of this ordinance, and this purchase occurs within two (2) years of the date of the previous purchase, consideration shall not be given to that portion of increased debt service which has resulted from a selling price which exceeds the seller's purchase price by more than the percentage increase in the "Consumer Price Index for All Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor" between the date of previous purchase and the date of the current sale, plus the cost of capital improvements or rehabilitation work made or performed by the seller.

(B) The past history of increases in the rent for the unit and the comparison of the rent for the unit with rents for comparable units in the same general area.

(C) Any findings which have been made pursuant to Section 37.7 with respect to the unit.

(D) Failure to perform ordinary repair, replacement and maintenance in compliance with applicable state and local law.

(E) Any other such relevant factors as the Board shall specify in rules and regulations.

(5) Determination of the Hearing Officer: RAP Rental Units.

(A) RAP Rental units in RAP areas designated prior to July 1, 1977. The hearing officer shall make findings as to whether or not the noticed or proposed rental increase exceeds the rent increase limitations set forth in Section 32.73 of the San Francisco Administrative Code. In making such findings, the hearing officer shall apply the rent increase limitations set forth in Chapter 32 of the San Francisco Administrative Code and all rules and regulations promulgated pursuant thereto. The hearing officer shall consider the evidence presented at the hearing. The burden of proof shall be on the landlord.

(B) RAP rental units in RAP areas designated on or after July 1, 1977. The hearing officer shall make findings with respect to rent increases exceeding the limitations as set forth in Section 37.3 of this Chapter. In making such findings, the hearing officer shall take into consideration the factors set forth in Subsection (4) above and shall consider evidence presented at the hearing. Burden of proof is on the landlord.

(6) Findings of Fact. The hearing officer shall make written findings of fact, copies of which shall be mailed to the parties within 30 days of the hearing.

(7) Payment or Refund of Rents to Implement Arbitration Decision. ((If the hearing officer finds)) Upon finding that all or any portion of the ((heretofore inoperative)) rent increase is or is not justified, the hearing officer may order ((the tenant petitioner shall be ordered to pay)) payment or refund of all or a portion of that cumulative amount ((to the landlord)) within ((five (5))) fifteen (15) days of the mailing of the findings of fact or may order the ((said)) amount ((or may be ordered)) added to or offset against future rents ((, or that all or any portion of a heretofore operative rent increase is not justified, the landlord shall be ordered to pay that cumulative amount to the tenant petitioner within five days of the mailing of the findings of fact or said amount may be ordered offset against future rents.)); provided, however, that any such order shall be stayed if an appeal is timely filed by the aggrieved party.

(8) Finality of Hearing Officer's Decision. The decision of the hearing officer shall be final unless the Board vacates his decision on appeal.

(f) Appeals.

(1) Time and Manner. Any appeal to the Board from the determination of the hearing officer ((may)) must be made within fifteen (15) calendar days of the mailing of the findings of fact unless such time limit is extended by the board upon a showing of good cause. The appeal shall be in writing and must state why appellant believes there was either error or abuse of discretion on the part of the hearing officer. The filing of an appeal will ((not)) stay ((the effect)) only that portion of ((the)) any hearing officer's decision which permits payment, refund, offsetting or adding rent.

(2) Record on Appeal. Upon receipt of an appeal, the entire administrative record of the matter, including the appeal, shall be filed with the Board.

(3) Appeals. The Board shall, in its discretion, hear appeals. In deciding whether or not to hear a given appeal, the Board shall consider, among other factors, fairness to the parties, hardship to either party, and promoting the policies and purposes of

this Chapter, in addition to any written comments submitted by the hearing officer whose decision is being challenged. The Board may also review other material from the administrative record of the matter as it deems necessary. A vote of three (3) members shall be required in order for an appeal to be heard.

(4) Remand to Hearing Officer without Appeal Hearing. In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer has erred, the Board may remand the case for further hearing in accordance with its instructions without conducting an appeal hearing. Both parties shall be notified as to the time of the re-hearing, which shall be conducted within thirty (30) days of remanding by the Board. In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer's findings contain numerical or clerical inaccuracies, or require clarification, the Board may continue the hearing for purposes of re-referring the case to said hearing officer in order to correct the findings.

(5) Time of Appeal Hearing; Notice to Parties. Appeals accepted by the Board shall be heard within forty-five (45) days of the filing of an appeal. Within thirty (30) days of the filing of an appeal, both parties shall be notified in writing as to whether or not the appeal has been accepted. If the appeal has been accepted, the notice shall state the time of the hearing and the nature of the hearing. Such notice must be mailed at least ten (10) days prior to the hearing.

(6) Appeal Hearing; Decision of the Board. At the appeal hearing, both appellant and respondent shall have an opportunity to present oral testimony and written documents in support of their positions. After such hearing and after any further investigation which the Board may deem necessary the Board may, upon hearing the

appeal, affirm, reverse or modify the hearing officer's decision or may remand the case for further hearing in accordance with its findings. The Board's decision must be rendered within forty-five (45) days of the hearing and the parties must be notified of such decision.

(7) Notification of the Parties. In accordance with item (6) above, parties shall receive written notice of the decision. The notice shall state that this decision is final.

(8) Effective Date of Appeal Decisions. Appeal ((D))decisions are effective on the date mailed to the parties; provided, however, that that portion of any decision which orders payment, refund, offsetting or adding rent shall become effective thirty (30) calendar days after it is mailed to the parties unless a stay of execution is granted by a court of competent jurisdiction.

(9) Limitation of Actions. A landlord or tenant aggrieved by any decision of the Board must seek judicial review within ninety (90) calendar days of the date of mailing of the decision.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1991	March 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Kennedy Ward	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
109-90-3

APR 2 1991
Date Approved

Mayor

3/20/91 - As amended in Committee

FILE NO. 101-90-69

ORDINANCE NO. 128-91
RO #90166 SA #75

(GOVERNMENT FUNDING)

APPROPRIATING $2,328,354 FOR VARIOUS CAPITAL IMPROVEMENT PROJECT, PUBLIC WORKS FOR FISCAL YEAR 1990-91; PLACING $1,060,775 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-450	Construction Inspection Fund		
Project 300-01	Street Reconstruction SB-300		
54-5401 (053587)	Interest Earned	$ 528,354	
90-06-00	Public Works-Engineering		
20-2030 (778290)	Capital Improvement Project		$ 528,354
	Total	$ 528,354	$ 528,354
05-607	1987 Street Improvement Bond Fund		
G.L. 495 (008086)	Committment From Fund Balance	$1,200,000	
Projcet 100-01	Street Reconstruction & Renovation		
20-2030 (778308)	Capital Improvement Project		$1,200,000
	Total	$1,200,000	$1,200,000
05-612	1987 Street Improvement Bond-1989B		
G.L. 495 (010603)	Committment from Fund Balance	$ 600,000	
Project 100-01	Street Reconstruction & Renovation		
20-2030 (778407)	Capital Improvement Project		$ 600,000
	Total	$ 600,000	$ 600,000
	Grand Total	$2,328,354	$2,328,354

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Section 2. Funds are hereby placed on reserve as follows: $480,000 on Project 300-01 and $580,775 on Project 100-01 Fund 05-612, pending information on contractors and MBE/WBE status, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Yates
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

ac(1035ADM91)

DOCUMENTS DEPT.
APR 15 1991

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 25, 1991	§	April 1, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hsieh Kennedy
Kennedy Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Maher	§	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-69

APR 5 1991
Date Approved

Mayor

FILE NO. 101-90-75 ORDINANCE NO. 129-91

RO #90210 SA #95

(GOVERNMENT FUNDING)

APPROPRIATING $2,003,725 FOR PERMANENT SALARIES - MISCELLANEOUS AND NURSES, RELATED MANDATORY FRINGE BENEFITS AND MEDICAL SERVICE CONTRACT, FOR THE CREATION OF THREE (3) POSITIONS, PUBLIC HEALTH - DMSF FOR FISCAL YEAR 1990-91, RETROACTIVE TO JULY 1, 1990.

3/20/91 jll

3/20/91 jll

Be it ordained by the People of the City and County of San Francisco:

3/20/91 jll

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 retroactive to July 1, 1990, as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
60-6075 (040915)	State Alcohol Fund	$6,690,277	
60-6074 (040915)	Community Mental Health - Drug		$4,686,552
87-28-70	CSAS - Administration		
01-0010 (732180)	Permanent Salaries - Miscellaneous		80,258
01-0050	Permanent Salaries - Nurses		51,531
04-0600	Retirement		19,768
04-0606	Social Security		10,082
04-0610	Health Service		4,402
04-0620	Unemployment Insurance		132
04-0711	Dental Insurance		580
10-1010	Medical Service Contract		1,836,972
	Total	$6,690,277	$6,690,277

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Section 2. Funds are hereby appropriated for three (3) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-18) as follows:

Fund: General Fund
Department: Public Health - DMSF

Classification	Rate	Created
2320 L Registered Nurse	$1646 B 1924	1
2305 L Psychiatric Technician	1078 B 1304	1
1823 L Sr. Administrative Analyst	1714 B 2084	1
	Total	3

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

ac(1035ADM/85&86)

DOCUMENTS DEPT.
APR 15 1991

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 25, 1991	§	April 1, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hsieh Kennedy
Kennedy Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Maher	§	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-75

APR 5 1991
Date Approved

Mayor

FILE NO. 102-90-18
PUBLIC EMPLOYMENT

ORDINANCE NO. 130-91
SAL.ORD.AMEND.NO. 17

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF THREE POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY MENTAL HEALTH, SUBSTANCE ABUSE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	87 Community Mental Health	
		Division:	28 Substance Abuse	
		Section:	70 Substance Abuse Prog Budget Only	
		Program:	4308 CSAS Administration	
		Fund:	01001 General Fund	
		Index:	732180 CSAS Administration DAEP	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	1823 L	Senior Administrative Analyst.....Z,SC	$1714B2084
1 added	1	2305 L	Psychiatric Technician.....SC	$1078B1304
		Object:	005 Permanent Salaries-Nurses	Note
1 added	1	2320 L	Registered Nurse.....SC	$1646B1926 14

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Eckay
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1991	April 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Maher	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-90-18

APR 5 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 15 1991
PUBLIC LIBRARY

3/20/91 - As amended in Committee.

FILE NO. 101-90-77

ORDINANCE NO. 131-91

RO #90220 SA #119

(Government Funding)

APPROPRIATING $167,243 FOR CAPITAL IMPROVEMENT PROJECT (SECURITY IMPROVEMENTS), MUNICIPAL RAILWAY FOR FISCAL YEAR 1990-91; PLACING $167,243 ON RESERVE.

3/20/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-103	California 90-01-03 Section 9 Fund		
35-02-00	Municipal Railway		
60-6164 ( )	Capital Subventions	167,243	
Project 606-01	Security Improvement		
20-2030 (708255)	Capital Improvement Project		$ 167,243

Section 2. Funds totalling $167,243 for Capital Improvement Project, security improvements, are hereby placed on reserve pending selection of contractors, contract amounts, and MBE/WBE status, to be released by the Finance Committee.

3/20/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Goeding Jr.
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1991	April 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Maher	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

File No. 101-90-77

APR 5 1991
Date Approved

Mayor

APR 15 1991

FILE NO. 118-91-1 ORDINANCE NO. 132-91

(Medical Transport Vehicles)

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING SECTION 905.1 THERETO TO PROHIBIT AMBULANCE OPERATIONS BY ANY PROVIDER NOT AUTHORIZED UNDER SAN FRANCISCO'S EMS PLAN

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Section 905.1 thereto to read as follows:

SEC. 905.1. Notwithstanding Sections 902 and 905, the Director shall not issue a Certificate of Operation authorizing the operation of ALS services or any ambulance permit to any person not authorized by San Francisco's Emergency Medical Services (EMS) Plan to provide ALS or emergency ambulance services in the City and County of San Francisco, which San Francisco's EMS Plan has established as an exclusive operating area.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Paula Jesson
Deputy City Attorney

RECOMMENDED:

Florence Stroud for
Director of Public Health

Sandy Ong Moe
Health Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1991	April 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Maher	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
118-91-1

APR 5 1991
Date Approved

Mayor

APR 15 1991

FILE NO. 127-91-3

ORDINANCE NO. 133-91

(Licensing for Animals Used in Business)

AMENDING ARTICLE II, PART III, SECTION 221.2 OF THE SAN FRANCISCO MUNICIPAL CODE TO PROVIDE CORRECT CITATION TO THE HEALTH CODE.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article II, Part III, Section 221.2 of the San Francisco Municipal Code is hereby amended to read as follows:

SEC. 221.2. ANIMALS USED IN BUSINESS. Whenever an application is made for a license to do business in the City and County of San Francisco, or a renewal of such license, and the business is a pet shop, a circus, an animal exhibit, or an enterprise which maintains animals in the course of business, the Tax Collector shall, before issuance or reissuance of the license, notify the Director of Animal Control. The Director of Animal Control shall promptly and within a reasonable time ascertain whether or not the owner of the animals is in conformity with the provisions of Article ((1.5)) 1, Chapter V, Part II, Municipal Code (Health Code), and notify the Tax ((c))Collector of his findings. If the owner is in conformity with such provisions, the license may be issued; but if the owner is in violation of said Article, the

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license may not be issued or reissued until the condition causing the violation has been corrected as determined in a subsequent inspection.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: John Roddy
JOHN RODDY
Deputy City Attorney

DOCUMENTS DEPT.
APR 15 1991
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1991	April 1, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Maher	Absent: Supervisors Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
127-91-3

APR 5 1991
Date Approved

Mayor

FILE NO. 97-91-19 ORDINANCE NO. 184-91

(Interest Payments)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 64 THERETO TO ESTABLISH THE SAN FRANCISCO BOND FACILITATION ACT.

Note: This chapter is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 64 thereto to read as follows:

CHAPTER 64

San Francisco Bond Facilitation Act

Section 64.01. Declaration of Policy. It is hereby declared to be the policy of the City to permit interest payable on indebtedness of the City or of any of its Commissions, Departments or Agencies to be payable at such time or times as may facilitate the sale of the indebtedness pursuant to the procedure set forth in this Chapter as well as by any other method permitted by law. This Chapter is enacted pursuant to the powers reserved to the City under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 1.101 of the Charter.

Section 64.02. Name. This Chapter shall be known as the San Francisco Bond Facilitation Act.

Section 64.03. Definitions. As used in this Chapter:

(a) "Bonds" means any bonds, notes, certificates of indebtedness or other evidences of indebtedness issued after April 1, 1991, by a public body which is authorized to issue bonds, notes, certificates of indebtedness or other evidence of indebtedness.

(b) "Public body" means the City or any Commission, Department or Agency thereof.

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(c) Governing body" means the governing board, commission, board of supervisors, board of directors or similar multimember body which exercises authority over a public body.

Section 64.04. Interest Payments. Notwithstanding any other provision of law specifying that interest on Bonds is payable semiannually, interest on Bonds is payable at the times established in the resolution, indenture, agreement or other instrument providing for the issuance of the Bonds.

Section 64.05. Issuance by Authority of Governing Bodies. Notwithstanding any other provision of law specifying that Bonds shall be issued pursuant to a resolution of a governing body of a public body, a governing body of a public body may authorize the issuance of Bonds pursuant to a resolution, indenture, agreement or other instrument providing for the issuance of Bonds.

Section 64.06. Authority for Actions in Addition to Special Provisions. The general authority provided in this Chapter is intended to be in addition to, and not limited by, specific provisions authorizing the issuance of bonds, notes or other evidences of indebtedness and is separate and complete authority for the actions authorized in this Chapter.

Section 64.07. Construction. The powers conferred by the provisions of this Chapter are in addition to and supplemental to the powers conferred by the Charter or any other ordinance or by law.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Vineeley
Deputy City Attorney

APR 1 5 1991

PUBLIC UTILITIES COMMISSION

1349w

03/06/91

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 1, 1991	§	April 8, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Maher
Maher Migden Shelley	§	Migden Shelley Ward
	§	
Absent: Supervisors Hallinan Ward	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
97-91-19

APR 9 1991
Date Approved

Mayor

FILE NO. 47-91-3

ORDINANCE NO. 135-91

[Garage Lease Documents]

APPROVING AND ADOPTING UNION SQUARE PARKING GARAGE LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the Office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Director of Property is authorized to call for bids of said lease pursuant to and in accordance with the Invitation of Bids and Bid Form.

Recommended:

Director of Parking Authority

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Julian E. Hultgren
Deputy City Attorney

2681

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 1, 1991	§	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 47-91-3

APR 15 1991
Date Approved

Mayor

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APR 22 1991
SAN FRANCISCO PUBLIC LIBRARY

72 Amended

3/27/91 - As amended in Committee.

FILE NO. 101-90-72 ORDINANCE NO. 136-91

RO #90205 SA #132

(GOVERNMENT FUNDING)

3/27/91 jll APPROPRIATING retroactively $232,985 FOR PERMANENT SALARIES, RELATED MANDATORY FRINGE BENEFITS AND PROFESSIONAL AND SPECIAL SERVICES, FOR THE CREATION OF ONE (1) POSITION, MAYOR'S OFFICE FOR FISCAL YEAR 1990-91; PLACING $50,000 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

3/27/91 jll Section 1. Funds are hereby retroactively appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$232,985	
25-14-00	Mayor - Operation		
01-0010 (323725)	Permanent Salaries		$ 9,485
04-0607	Social Security - Medical Tax		138
04-0620	Unemployment Insurance		9
10-1000	Professional & Special Services		223,353
	Total	$232,985	$232,985

3/27/91 jll Section 2. Funds are hereby retroactively appropriated for one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-14) as follows:

Fund: General fund
Department: Mayor

Classification	Rate	Created
AA 04 Employee Relations Assistant	$1355 B 1642	1

3/27/91 jll Section 3. Funds in the amount of $50,000 for contractual services are reserved pending the actual need for such services, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

CIVIL SERVICE COMMISSION:

BY: GENERAL MANAGER, PERSONNEL

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Kennedy Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Shelley Ward
Noes: Supervisors Britt Hsieh Maher Migden	Noes: Supervisors Hsieh Maher Migden
Absent: Supervisors Hallinan	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-72

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 22 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 102-90-14 ORDINANCE NO. 137-91

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 14

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ONE NEW POSITION IN THE OFFICE OF THE MAYOR.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
	Department:		25 Mayor	
	Division:		14 Operations	
	Section:		00 Operations	
	Program:		6302 City Administration	
	Fund:		01001 General Fund	
	Index:		323725 Operations-Exp	
	Proj/Phase:		000/00 Unassigned Title	
	Object:		001 Permanent Salaries-Miscellaneous	
1 added	1	AA04 A	Employee Relations Assistant J,SC	$1355B1642

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Welsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Foley
DEPUTY CITY ATTORNEY

No. 14

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 1, 1991	§	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Kennedy Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Shelley Ward
Noes: Supervisors Britt Hsieh Maher Migden	§	Noes: Supervisors Hsieh Maher Migden
Absent: Supervisors Hallinan	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-90-14

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 22 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 27-91-1 ORDINANCE NO. 138-91

(AIRPORT-LEASE MODIFICATION)

APPROVING MODIFICATION NO. 2 OF LEASE AGREEMENT BETWEEN QANTAS AIRWAYS, LTD. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 2 of the Lease and Use Agreement between Qantas Airways, Ltd. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-91-1.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 1, 1991	§	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

_____
Clerk

File No. 27-91-1

APR 15 1991
Date Approved

_____
Mayor

DOCUMENTS DEPT.
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PUBLIC LIBRARY

FILE NO. 45-91-13 ORDINANCE NO. 139-91

RO #90211

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANITA SOLORIO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $21,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled Anita Solorio v. Howard Lynch, et al., Superior Court No. 919-887, by the payment of $21,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS
Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $21,000.00

MAR 06 1991

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-13

APR 15 1991
Date Approved

Mayor

FILE NO. 97-91-5 ORDINANCE NO. 140-91

[Library Department Construction Fund]

AMENDING CHAPTER 10, ARTICLE XIII OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-107 THEREOF TO ESTABLISH A SPECIAL FUND FOR THE CONSTRUCTION OF ADDITIONS OR ENHANCEMENTS TO THE NEW MAIN LIBRARY.

NOTE: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XIII of the San Francisco Administrative Code is hereby amended by adding Section 10.117-107 thereof:

SEC. 10.117-107 LIBRARY DEPARTMENT CONSTRUCTION FUND

(a) Establishment of Fund. There is hereby established a special fund created for the acceptance of gifts for the construction of additions or enhancements to the new main library, including without limitation, the receipt of funds to pay for furniture and equipment for the library. Said special fund shall be known as the Library Department Construction Fund.

(b) Appropriation of Monies. Subject to the budgetary and fiscal provisions of the charter, the monies in the fund, including interest earnings, ~~may~~ shall be appropriated exclusively for the purposes set forth in subsection (e) of this section.

3/27/91 jll

(c) Interest. Interest earned from the fund shall become part of the principal thereof, and not be expended for any purpose other than those set forth in subsection (e) of this section.

(d) Accrual of Monies in Fund. The balance remaining in the fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.311 of the Charter and shall be carried forward and accumulated in the fund for the purposes recited herein.

(e) Authorization to Expend. Expenditures from the fund may be approved for the following purposes:

(1) Payment for the construction of additions or enhancements to the new main library.

(2) Payments of architecture and inspection charges to the Department of Public Works.

(3) Payment of fees to outside architects, interior designers, and engineers for designing additions or enhancements to the new main library.

(4) Payment for furniture and equipment for the new main library.

(5) Payment for other purposes for the new main library as specified by donors to the fund.

3/27/91 jll

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: G. Scott Emblidge
G. SCOTT EMBLIDGE
Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO PUBLIC LIBRARY

By: Kenneth E. Dowlin
KENNETH E. DOWLIN
City Librarian

DOCUMENTS DEPT.
MAY 13 1991
SAN FRANCISCO PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 1, 1991	§	April 8, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Maher
Maher Migden Shelley	§	Migden Shelley Ward
	§	
Absent: Supervisors Hallinan Ward	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
97-91-5

APR 15 1991
Date Approved

Mayor

3/27/91 - As amended in Committee

FILE NO. 97-91-18 ORDINANCE NO. 141-91

3/27/91
jll

(Agriculture)

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 16.6-40 AND 16.6-41 THEREOF CHANGING THE TITLE OF ORGANIZATIONS AND ADDING ONE ORGANIZATION REPRESENTED BY THE AGRICULTURAL COMMISSIONER AND SEALER OF WEIGHTS AND MEASURES.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 16 of the San Francisco Administrative Code is hereby amended by amending section 16.6-40 and 16.6-41 thereof, to read as follows:

Section 16.6-40. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS-AGRICULTURE COMMISSIONER ((.)) /SEALER.

Coast Counties Agricultural Commissioners Association.

((State Association of County Agricultural Commissioners.))

California Agricultural Commissioners and Sealers Association.

Section 16.6-41. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS-SEALER OF WEIGHTS AND MEASURES.

((California Association of Weights and Measures Officials.))

National Conference on Weights and Measures.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Deputy City Attorney

APPROVED BY:

RUDOLF NOTHENBERG, CAO

Chief Administrative Officer

RECOMMENDED BY:

G. E. WEETH

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 97-91-18

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 22 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 97-91-21 ORDINANCE NO. 148-91

(Hold Harmless Agreements)

AMENDING THE ADMINISTRATIVE CODE BY ADDING SECTION 1.40 THERETO AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO EXECUTE HOLD HARMLESS AGREEMENTS WITH TRANSPORTATION AGENCIES.

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1.40 Hold Harmless Agreements Between the Public Utilities Commission and Transportation Agencies. The Public Utilities Commission is hereby authorized to enter into hold harmless agreements with other transportation agencies when such agencies and the Municipal Railway agree to issue passes for use on both the Municipal Railway and other transit systems. Such agreements shall not hold any other transportation agency harmless for its sole negligence.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

THOMAS J. ELZEY
General Manager
Public Utilities Commission

7818P

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-91-21

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
1991
SAN FRANCISCO PUBLIC LIBRARY

3/27/91 - As amended in Committee

FILE NO. 101-90-76

ORDINANCE NO. 143-91

RO #90219 SA #106

(Government Funding)

3/27/91 jll

APPROPRIATING RETROACTIVELY $300,000 FOR FACILITIES MAINTENANCE PROJECT (RENOVATION-BILLING OFFICE) AND CAPITAL IMPROVEMENT PROJECT (NUCLEAR LABORATORY RELOCATION), PUBLIC HEALTH-SAN FRANCISCO GENERAL HOSPITAL FOR FISCAL YEAR 1990-91; PLACING $150,000 ON RESERVE FOR CAPITAL IMPROVEMENT PROJECT - RELOCATION OF THE NUCLEAR MEDICINE DEPARTMENT.

3/27/91 jll

3/27/91 jll

Be it ordained by the People of the City and County of San Francisco:

3/27/91 jll

Section 1. Funds are hereby appropriated retroactively for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
36-001	Hospital Operating Fund		
G.L.495 (027920)	Committment from Fund Balance	$ 300,000	
86-00-00	San Francisco General Hospital		
Project 225-01	Renovation - Billing Office		
20-2020 (460162)	Facilities Maintenance Project		$ 150,000
Project 609-01	Nuclear Laboratory Relocation		
20-2030 (460162)	Capital Improvement Project		150,000
	Total	$ 300,000	$ 300,000

Section 2. Funds in the amount of $150,000 for relocation of the Nuclear Medicine Department are hereby placed on reserve pending departmental submission of budget details, including the contract amount for the construction work and information on the MBE/WBE status of the contractor, to be released by the Finance Committee.

3/27/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey Jr.
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-76

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
1991
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-90-78 ORDINANCE NO. 144-91

RO # 90217 SA #110, 138 & 102

(GOVERNMENT FUNDING)

APPROPRIATING $19,325,716 FROM THE PROCEEDS OF EARTHQUAKE SAFETY BONDS PHASE II, FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS AND FINANCIAL CONSULTATION, PUBLIC WORKS, RECREATION AND PARK AND CHIEF ADMINISTRATIVE OFFICER, FOR THE CREATION OF TWO (2) POSITIONS, FOR FISCAL YEAR 1990-91; PLACING $5,478,294 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-615	1990 Earthquake Safety Bonds		
55-5500 (054569)	Proceeds - Sale of Bonds	$19,306,580	
90-02-00	DPH - Architecture		
Project 002-01	DPH - Planning/Project Control		
20-2030 (772194)	Capital Improvement Project		$2,340,700
Project 100-01	Various Buildings/Facilities Improvements		
20-2030 (772194)	Capital Improvement Project		11,553,247
Project 500-01	City Hall and DPH Headquarters		
20-2030 (772194)	Capital Improvement Project		1,000,000
Project 600-01	Performing Arts Building		
20-2030 (772194)	Capital Improvement Project		4,409,308
	Total - DPH-Architecture		$19,303,255
Project 700-01	San Francisco Zoo Subsurface Infrastructure		
20-2030 (772194)	Capital Improvement Project	$ 19,136	
42-08-00	Recreation and Park - Zoo		
Project 701-01	Recreation and Park Management Control		
01-0010 (620583)	Permanent Salaries		$ 16,566
04-0600	Retirement		$ 869
04-0606	Social Security		201
04-0610	Health Service		1,500
	Total - Recreation and Park	$19,136	$ 19,136
70-04-01	Chief Administrative Officer		
Project	Financial Consultation		
20-2010 ( )	Program Project Budget		$ 3,325
	Grand Total	$19,325,716	$19,325,716

Section 2. Funds are hereby appropriated for two (2) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-15) as follows:

Fund: Earthquake Safety Bond Fund
Department: Recreation and Park

Classification	Rate	Created
AA03 L Asst. Zoo Director, Operations	$1881 B 2287	1
1446 L Secretary II	1027 B 1243	1
	Total	2

Section 3. Funds totalling $5,478,294 on Project 100-01 are hereby placed on reserve as follows: $1,034,000 for San Bruno Men's Jail Facility pending a determination on the cost effectiveness of seismically upgrading the facility; $4,103,606 for construction projects pending selection of contractors information on contract amounts and MBE/WBE status; and $340,688 for small construction projects pending contract amounts and MBE/WBE status of contractors, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY
BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
Edward Harrington
CONTROLLER

CIVIL SERVICE COMMISSION:
BY: John Walsh

DOCUMENTS DEPT.
1991
SAN FRANCISCO PUBLIC L

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Maher Migden Shelley Ward
Noes: Supervisors Hsieh Kennedy Maher	Noes: Supervisors Hsieh
Absent: Supervisors Hallinan	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-78

APR 15 1991
Date Approved

Mayor

FILE NO. 102-90-15 ORDINANCE NO. 145-91

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 13

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF TWO NEW POSITIONS IN THE RECREATION AND PARK DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department:	42 Recreation and Park Commission	
		Division:	08 Zoo	
		Section:	00 Zoo	
		Program:	5209 Zoo Operations	
		Fund:	05615 Earthquake Safety Bond Fund	
		Index:	620583 Zoo Exp Fund	
		Proj/Phase:	224-63 Zoo Subsurface Infrastructure	
		Object:	001 Permanent Salaries-Miscellaneous	
1 added	1	AA03 L	Assistant Zoo Director, Operations J,SC	$1881B2287
1 added	1	1446 L	Secretary II.....SC	1027B1243

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Pauline R. Lakey
DEPUTY CITY ATTORNEY

No. 13

#5336C

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Maher Migden Shelley Ward
Noes: Supervisors Hsieh Kennedy Maher	Noes: Supervisors Hsieh
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

File No. 102-90-15

APR 15 1991
Date Approved

Mayor

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Finance

3/27/91 - As amended in Committee.

FILE NO. 101-90-79

ORDINANCE NO. 146-91

RO #90224 SA #112

(GOVERNMENT FUNDING)

APPROPRIATING $38,500 FOR DATA/WORD PROCESSING PROFESSIONAL SERVICES AND DATA/WORD PROCESSING EQUIPMENT, REGISTRAR OF VOTERS FOR FISCAL YEAR 1990-91; 3/27/91 jll PLACING $20,000 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 38,500	
80-00-00	Registrar of Voters		
10-1050 (430017)	Data/Word Processing Professional Services		$ 20,000
22-2310 (430017)	Data/Word Processing Equipment		18,500
	Total	$38,500	$ 38,500

3/27/91 jll Section 2. Funds in the amount of $20,000 for contractual computer programming services are hereby placed on reserve pending the Human Rights Commission's approval of the contract, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature]
CONTROLLER

ac(1155ADM/5)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

[signature]
Clerk

File No. 101-90-79

APR 15 1991
Date Approved

[signature]
Mayor

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3/27/91 - As amended in Committee.

FILE NO. 101-90-80

ORDINANCE NO. 147-91

RO #90225 SA #127

(Government Funding)

3/27/91 jll

APPROPRIATING ~~$925,467~~ $612,356 FOR PERMANENT SALARIES, TEMPORARY SALARIES, OVERTIME AND RETIREMENT - NON CITY, SHERIFF FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$ 612,356 ~~$ 925,467~~	
06-00-00	Sheriff		
01-0010 (306589)	Permanent Salaries		$ 196,621 ~~$ 417,025~~
02-0200	Temporary Salaries		56,721 356,065 ~~445,466~~
03-0100	Overtime		2,949 ~~6,255~~
04-0601	Retirement - Non City		
	Total	$ 612,356 ~~$ 925,467~~	$612,356 ~~$ 925,467~~

3/27/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel A. Yorkey by
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-90-80

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 22 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 101-90-81 ORDINANCE NO. 148-91

RO #90226 SA #122

(GOVERNMENT FUNDING)

APPROPRIATING $271,360 FOR CAPITAL IMPROVEMENT PROJECT (MISSION BAY PROJECT), CITY PLANNING FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

3/27/91 jll

3/27/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-014	Special Revenue Development Agreement Fund		
29-00-00	City Planning		
Project 001-00	Revenues		
57-5700 (052985)	Gifts	$271,360	
Project 001-20	Mission Bay Project		
20-2030 (331348)	Capital Improvement Project		$271,360

Section 2. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

3/27/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1155ADM/7)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-81

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
1991
SAN FRANCISCO PUBLIC LIBRARY

3/27/91 - As amended in Committee.

FILE NO. 101-90-82 ORDINANCE NO. 149-91

RO #90227 SA #54

(GOVERNMENT FUNDING)

APPROPRIATING $291,040 FOR FACILITIES MAINTENANCE PROJECT (VARIOUS STATIONS/WOMENS FACILITIES ALTERATION) AND RESCINDING $291,040 FROM OTHER CONTRACTUAL SERVICES, FIRE DEPARTMENT FOR FISCAL YEAR 1990-91 ; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

3/27/91 jll

3/27/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
31-03-00	Fire Department		
10-1090 (530071)	Other Contractual Services	$291,040	
49-4900 ( )	Revenue Transfer Out to #01-005, General Fund - Project		$291,040
01-005	General Fund - Project		
99-9990 ( )	Revenue Transfer In From #01-001, General Fund	$291,040	
Project 333-01	Various Stations - Womens Facilities Alteration		
20-2020 (530097)	Facilities Maintenance Project		$291,040

3/27/91 jll

Section 2. This ordinance is adopted by two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. This item was previously requested by budget estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
CONTROLLER

ac(1155ADM/6)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-82

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 29 1991
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3/27/91 - As amended in Committee

FILE NO. 101-89-149

ORDINANCE NO. 150-91

RO#90066 SA# 17

(GOVERNMENT FUNDING)

APPROPRIATING $837,500 FOR CAPITAL IMPROVEMENT PROJECT (EMERGENCY OPERATIONS CENTER) FIRE DEPARTMENT FOR FISCAL YEAR 1990-91; PLACING $785,000 ON RESERVE.

3/27/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-606	Bond Fund Group		
31-03-00	1986 Fire Protection Bonds		
Project 612-01	Emergency Operations Center		
54-5401 (049684)	Interest Earned - Pooled Cash	$837,500	
20-2030 (530105)	Capital Improvement Project		$837,500

Section 2. Funds totalling $785,000 are hereby placed on reserve as follows: $715,000 for construction and $70,500 for contingencies pending departmental information on contract amounts and MBE/WBE status of the contractors, to be released by the Finance Committee.

3/27/91 jll

APPROVED AS TO FORM: LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

Edward Harrington
CONTROLLER

LP:249-SPGEN-15

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Hallinan	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-89-149

APR 15 1991
Date Approved

Mayor

DOCUMENTS DEPT.
APR 22 1991
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FILE NO. 173-91-1 ORDINANCE NO. 151-91

(First Lease Amendment to Lease of Real Property)

APPROVAL OF FIRST LEASE AMENDMENT WITH CRENT COMPANY FOR OCCUPANCY OF PIER 31, PROPERTY CONTROLLED BY THE SAN FRANCISCO PORT COMMISSION

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1

The Board of Supervisors finds that:

A. Section 3.581 of the City Charter authorizes the Port Commission to enter into contractual agreements for use of properties under its jurisdiction; and

B. Section 7.402-1 of the Charter of the City and County of San Francisco, authorizes the Board of Supervisors to review and approve by ordinance, the modification and amendment of a lease entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. Crent Company, a paper box distributor, has an existing ten year lease to conduct a warehousing business at Pier 31 (Embarcadero near Bay), property controlled by the Port of San Francisco. Said lease expires February 28, 1992; and

D. Crent Company needs additional space to accommodate its growing business operation and the Port has been unable to locate available space elsewhere on the waterfront. Crent entered into a sublease agreement with a neighboring Port tenant, Marine Terminals (Pier 29) for additional space but desires to extend its present lease with the Port of San Francisco to make effective business plans; and

E. On February 13, 1991, the San Francisco Port Commission approved Resolution No. 91-12, extending the terms of Crent Company's lease for another five years, through February 28, 1997. The amendment also updates the lease terms to reflect current leasing provisions and makes rent adjustments.

Section 2

NOW THEREFORE BE IT ORDAINED That the Board of Supervisors hereby approves the lease amendment with CRENT COMPANY, a copy of which is on file with the Clerk of the Board and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto.

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APR 22 1991
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Approved as to form
LOUISE RENNE
City Attorney

by: John Pizza, Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 1, 1991	§	April 8, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Maher
Maher Migden Shelley	§	Migden Shelley Ward
	§	
Absent: Supervisors Hallinan Ward	§	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
173-91-1

APR 15 1991
Date Approved

Mayor

FILE NO. 124-91-2 ORDINANCE NO. 152-91

[Towing Cars Blocking Access Ramps]

AMENDING ARTICLE 3, PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING SECTION 70b WHICH SUBJECTS TO TOWING VEHICLES LEFT ILLEGALLY PARKED WITHIN THREE FEET OF ANY SIDEWALK ACCESS RAMP CONSTRUCTED ADJACENT TO A CROSSWALK SO AS TO BE ACCESSIBLE TO AND USABLE BY THE PHYSICALLY DISABLED.

Note: This entire Section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 3, Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 70b to read as follows:

SEC. 70b. Towing of Cars Illegally Blocking Sidewalk Access Ramps. A vehicle parked in violation of Section 22522 of the Vehicle Code of the State of California by being parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically disabled shall be considered a hazard and subject to removal under the provisions of Section 22651(b) of the Vehicle Code of the State of California.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1991	April 8, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Migden Shelley Ward
Noes: Supervisors Maher	Noes: Supervisors Maher
Absent: Supervisors Hallinan Ward	Absent: Supervisors Britt Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 124-91-2

APR 17 1991
Date Approved

Mayor

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MAY 13 1991
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FILE NO. 47-91-4

ORDINANCE NO. 153-91

[Parking Lot Lease Documents]

APPROVING AND ADOPTING SEVENTH AND HARRISON PARKING LOT LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the Office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Director of Property is authorized to call for bids of said lease pursuant to and in accordance with the Invitation of Bids and Bid Form.

Recommended:

Director of Parking Authority

for Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

2680

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 8, 1991	April 15, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Kennedy	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 47-91-4

APR 25 1991
Date Approved

Mayor

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MAY 13 1991
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FILE NO. 97-91-17 ORDINANCE NO. 154-91

(Document Fee)

AMENDING CHAPTER 31 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 31.60 THERETO, AUTHORIZING THE COUNTY CLERK TO COLLECT A DOCUMENTARY HANDLING FEE IN THE AMOUNT OF TWENTY-FIVE DOLLARS ($25.00) FOR ENVIRONMENTAL REVIEW DOCUMENTS FILED PURSUANT TO CALIFORNIA FISH AND GAME CODE SECTION 711.4.

NOTE: All language is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 31 of the San Francisco Administrative Code is hereby amended by adding Section 31.60 thereto, to read as follows:

SEC. 31.60. FISH AND GAME DOCUMENT FEE.

In addition to any filing fees required by statute, the county clerk shall collect a documentary handling fee in the amount of twenty-five dollars ($25.00) for each filing made pursuant to California Fish and Game Code Section 711.4, subd. (d).

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 8, 1991	April 15, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Kennedy	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-91-17

APR 25 1991

Date Approved

Mayor

DOCUMENTS DEPT.
MAY 13 1991
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4/3/91 - As amended in Committee.

FILE NO. 101-90-83

ORDINANCE NO. 155-91

RO #90231 SA #113

(GOVERNMENT FUNDING)

APPROPRIATING $205,262 FOR FACILITIES MAINTENANCE PROJECT (REPLACE FUEL TANK), FIRE DEPARTMENT FOR FISCAL YEAR 1990-91; PLACING $135,300 ON RESERVE.

4/3/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-603	1971 Fire Protection Bond Fund		
31-03-00	Fire Department		
G.L. 495 (015503)	Committment from Fund Balance	$205,296	
Project	Replace Fuel Tank		
20-2020 (333179)	Facilities Maintenance Project		$205,296

Section 2. Funds in the amount of $135,300 for contractual services are hereby placed on reserve pending departmental submission of the identity of firms to be used and the MBE/WBE status, to be released by the Finance Committee.

4/3/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1155ADM/10)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 8, 1991	April 15, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Kennedy	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-83

APR 25 1991
Date Approved

Mayor

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MAY 13 1991
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4/3/91 - As amended in Committee.

FILE NO. 101-90-84

ORDINANCE NO. 156-91

RO #90202 SA #142

(GOVERNMENT FUNDING)

APPROPRIATING $15,200,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS (1986 FIRE PROTECTION SYSTEM IMPROVEMENT BONDS), AND VARIOUS PROGRAM PROJECT BUDGETS, FIRE DEPARTMENT, CITY ATTORNEY, CONTROLLER AND CHIEF ADMINISTRATIVE OFFICER, FOR FISCAL YEAR 1990-91; PLACING $13,506,943 ON RESERVE.

4/3/91
jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-621	1986 Fire Protection System Improvement Bonds - Series 1991B		
55-5500 (055483)	Proceeds - Sale of Bonds	$15,200,000	
31-03-00	Fire Department		
Project 607-01	Cisterns Installations		
20-2030 (530279)	Capital Improvement Project		$ 5,800,000
Project 608-01	Suction Connections		
20-2030 (530279)	Capital Improvement Project		500,000
Project 609-01	High Pressure System Extension		
20-2030 (530279)	Capital Improvement Project		8,867,943
	Total - Public Works		$15,167,943
03-00-00	City Attorney		
Project	Bond Counsel		
20-2010 ( )	Program Project Budget		$ 10,000
09-00-00	Controller		
Project	Financial Advisor		
20-2010 ( )	Program Project Budget		$ 19,782
70-00-00	Chief Administrative Officer		
Project	Coordination Services		
20-2010 ( )	Program Project Budget		$ 2,275
	Grand Total	$15,200,000	$15,200,000

Section 2. Funds totalling $13,506,943 for construction are hereby placed on reserve as follows: $5,170,000 for cistern installation, $434,000 for suction connections, and $7,902,943 for high pressure system extensions, pending determination of contract amounts and MBE/WBE status, to be released by the Finance Committee.

4/3/91
jll

(Departmental signatures in file)

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.

MAY 13 1991

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 8, 1991	§	April 15, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisors Britt Kennedy	§	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-84

APR 25 1991
Date Approved

Mayor

FILE NO. 185-91-1 ORDINANCE NO. 157-91

RO #90229

[Jefferson Square]

SELECTING AND SETTING ASIDE ADDITIONAL LAND AT CENTRAL FIRE ALARM STATION-JEFFERSON SQUARE FOR THE CONSTRUCTION OF AN EMERGENCY OPERATIONS/COMMUNICATIONS CENTER.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. Findings

The Board of Supervisors, pursuant to Section 6a of Article XIV of the 1898 and 1929 Charters and Sections 11.101 and 11.102 of the 1932 Charter, has the authority to select and set aside by ordinance additional land in Jefferson Square for the construction of buildings and structures to serve as a central communication station to allow for effective response to City-wide emergencies.

In 1914 and 1988, this Board set aside land in Jefferson Square for the construction of a central fire alarm station to improve the City and County's capacity to respond generally to emergencies. In our complicated modern day society we have enhanced resources and capabilities to react effectively to everyday emergencies such as fires, accidents and perilous situations throughout the City. However, the City has a need for a central location from which to coordinate assistance and promote communication amongst emergency City agencies on a City-wide basis in the event of a major disaster or calamity in order to provide for the general public safety.

The Board of Supervisors finds that the erection of an emergency communications center as proposed by the Mayor's Office of Emergency Services is a use for which this Board may set aside space in Jefferson Square. Because the land at the Central Fire Alarm station in Jefferson Square is not sufficient for said central emergency operations/communications center addition, this Board finds it necessary to allocate additional land at the Central Fire Alarm Station site-Jefferson Square for this purpose.

Section 2. There is hereby selected and set aside, in addition to the lot, piece or parcel of land heretofore selected and set aside by Ordinance Nos. 2732 (May 7, 1914), 2749 (May 14, 1914), and 7-88 (January 7, 1988) in that certain square or park known as Jefferson Square, bounded on the north by Eddy Street, on the south by Golden Gate Avenue, on the east by Gough Street and on the west by Laguna Street, the lot, piece or parcel of land more particularly described as follows; to wit:

COMMENCING at the point of intersection of the easterly line of Laguna Street with the southerly line of Turk Street; thence proceeding easterly along said southerly line of Turk Street 249.333 feet to the TRUE POINT OF BEGINNING of this description;

THENCE proceeding easterly along said southerly line of Turk Street 193.667 feet;

THENCE proceeding southerly at right angles to the preceding course 113.25 feet;

THENCE proceeding westerly at right angles to the preceding course 193.667 feet;

THENCE proceeding northerly at right angles to the preceding course 113.25 feet to the TRUE POINT OF BEGINNING;

Being a portion of Lot 1 in Assessor's Block 759, upon which may be erected a central emergency operations/communications center.

Section 3. By letter dated February 25, 1991, the Department of City Planning advised that the proposed project was in conformity with the Master Plan and consistent with the eight priority policies of Planning Code Section 101.1. Said center when erected to be under the control and management of Department of Electricity.

APPROVED AS TO FORM:

By: Robert A. Kenealey
Robert A. Kenealey
Deputy City Attorney

APPROVED:

Director of Property

DOCUMENTS DEPT.

MAY 13 1991

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2714

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 8, 1991	§	April 15, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisors Britt Kennedy	§	Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
185-91-1

APR 25 1991
Date Approved

Mayor

FILE NO. 45-91-16

ORDINANCE NO. 158-91

RO #90240

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JEFFREY YANG, ET AL. v. CITY AND COUNTY OF SAN FRANCISCO, San Mateo County Superior Court No. 352-010, AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $110,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JEFFREY YANG, ET AL. v. CITY AND COUNTY OF SAN FRANCISCO, San Mateo County Superior Court No. 352-010," by the payment of $110,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 42
620245 1450 $110,000.00

APPROVED:

RECREATION AND PARK COMISSION

SECRETARY

Rec # 15981
3/21/91

MAR 27 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1991	April 22, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Migden Shelley Ward
Noes: Supervisors Maher	Noes: Supervisors Maher
Absent: Supervisors Alioto	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-16

APR 25 1991
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1991

SAN FRANCISCO
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FILE NO. 45-91-17

ORDINANCE NO. 159-91

RO #90243

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF JENNIFER HSU AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,200.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JENNIFER HSU v. CITY AND COUNTY OF SAN FRANCISCO, Lincoln Charles Hampton," Superior Court No. 875-329, by the payment of $6,200.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $6,200.00
MAR 29 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1991	April 22, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Britt	Absent: Supervisors Alioto Gonzalez Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-17

APR 25 1991
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1991

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FILE NO. 97-91-14 ORDINANCE NO. 160-91

[Performing Arts Loan Program]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 50, SECTIONS 50.1, 50.2, 50.12, 50.21, 50.22, 50.24 and 50.26 THEREOF, TO CLARIFY ELIGIBILITY FOR AND CONDITIONS AND ADMINISTRATION OF THE NON-PROFIT PERFORMING ARTS LOAN PROGRAM.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 50 of the San Francisco Administrative Code is hereby amended by amending Sections 50.1, 50.2, 50.12, 50.21, 50.22, 50.24 and 50.26 thereof, to read as follows:

Sec. 50.1. Purpose and Findings. The Board of Supervisors hereby finds and declares that nonprofit performing arts organizations are an important cultural element of the quality of life in San Francisco. The Board also finds and declares that numerous arts organizations either operate out of facilities which do not meet the standards imposed by City and State fire, building, earthquake and other safety codes or are unable to acquire adequate operating space. Many of these arts organizations are financially unable to maintain their facilities or make the capital improvements needed to bring their facilities into compliance with these codes. This Chapter is therefore enacted in order to make low-cost loans available to qualified arts organizations for facilities maintenance, renovation and capital improvements so that they may carry on their work in facilities which are in full compliance with all applicable code requirements and with all other requirements which enable the facilities to be used for performing arts. In addition, this

Chapter is enacted in order that low-cost loans may be made to these arts organizations for the acquisition or renovation of adequate operating space, to the extent that funds are available for this purpose.

The Board of Supervisors expressly finds and declares that the appropriation and expenditure of public funds for the purposes set forth above will serve a public purpose and will benefit the residents of San Francisco as a whole. Nonprofit arts organizations which work in substandard facilities are currently faced with the choice of either continuing to work in environments that are unsafe for their members and audiences alike, or of interrupting their work while they seek new and adequate facilities. The loans to be provided under this Chapter will assure that these arts organizations carry on their efforts in facilities which enhance the health, safety and welfare of the artists and of those who come to view their work.

Sec. 50.2. Definitions. Unless otherwise indicated in the context, the following definitions shall govern the construction of this Chapter.

(a) "Arts organization" shall mean a nonprofit performing arts organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and which is otherwise eligible for loans under this Chapter.

(b) "Director" shall mean the ((Executive)) Director of the Mayor's Office of Housing ((and Economic Development)), or his or her designee.

(c) "Fund" shall mean the Nonprofit Performing Arts Loan Fund established pursuant to Administrative Code Section 10.117-41.

///

SUPERVISOR KENNEDY

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(d) "Incipient code violation" shall mean a physical condition of property which may reasonably be expected to deteriorate into a code violation within two years.

Sec. 50.12. Reports to the Board of Supervisors. The Director shall submit a semi-annual report to the Board of Supervisors, within ninety (90) days following the completion of each six-month period, setting forth a description of all loans made under this Chapter and an accounting of the uses made of all monies appropriated to the fund for the period in question. The Director's report shall include the fees, interests rates and other charges levied for each loan. The semi-annual reports shall also include the following information:

(a) For loans made subsequent to the date of the last semi-annual report, the primary purpose of the loan, the principal amount, interest rate, and any fees which have been charged on the loan in excess of regularly scheduled interest payments; and

(b) For loans outstanding as of the date of the last semi-annual report, the outstanding principal balance, the current status of principal and interest, repayments made, if any, any current or potential default under the loan documents and any potential administrative action to be taken with respect thereto.

Sec. 50.21. Eligibility for Loans.

Each arts organization working in a facility in San Francisco which has been or is subject to being cited for code violations or incipient code violations or that intends to acquire or renovate a facility in San Francisco shall be eligible for a loan under this Chapter. Loans under this Chapter shall be available only to arts organizations with annual budgets of less

than $1,000,000.00, and only for the repair and maintenance or acquisition of facilities containing 50 to 499 seats. Each arts organization shall apply for a loan in compliance with all applicable rules and regulations as promulgated by the Director; shall demonstrate to the satisfaction of the Director the ability to repay such a loan; and shall meet all applicable requirements as set forth in this Chapter.

Priority for loans shall be given to arts organizations seeking funds to correct life safety code violations in the facility where they are presently working or acquisitions necessitated by life safety code defects. It is the intent of the Board of Supervisors that the maximum degree of cultural and ethnic diversity be achieved among loan recipients, to insure that minority, disabled, lesbian/gay and other arts organizations may share in the benefits of this program. In administering this loan program, the Director shall give priority to this intent and shall ensure that sufficient funds are available to achieve this purpose.

Sec. 50.22. Maximum Loan Amount; Factors in Determining Terms and Conditions. The maximum amount of a loan under this Chapter shall be (($100,000.00)) $150,000.00. The Director shall determine the terms and conditions of each loan, based upon the following factors:

(a) Whether the arts organization owns the subject property or holds a longterm lease the life of which exceeds the anticipated repayment period;

(b) The size, age, value and condition of the subject property;

(c) The nature and extent of all code and incipient code violations;

BOARD OF SUPERVISORS

(d) The type of security to be given for the loan;

(e) The verifiable financial soundness of the arts organization and its ability to complete the project for which the loan application is made;

(f) The degree to which an arts organization can demonstrate community interest in and support for its artistic programs; and

(g) Any other factors that the Director shall, by rule and regulation, establish.

Sec. 50.24. Security for Loans. The owner of the subject property shall agree in writing to all alterations to the property to be financed by the loan as a prerequisite to granting a loan to any arts organization which is a tenant in the subject property. A copy of the arts organization's lease shall also be filed with the Director.

Every loan made under this Chapter shall be fully secured. The Director shall evaluate the types of security offered by each loan applicant and shall give preference to those types and amounts of security that in his or her opinion will provide the greatest protection for the City's funds. Further, the Director shall determine that the liquidation value of any security equals or exceeds the full value of the loan and the expected costs of proceeding on such security and obtaining the proceeds of any collateral. Those types of securities shall include, but are not limited to:

(a) A deed of trust on the subject property, naming the City and County as beneficiary;

(b) The guarantee of the owner of the subject property, in cases where the arts organization is the tenant of the property to be improved;

(((c) A deed of trust encumbering the leasehold interest of the arts organization in the subject property; provided, that said leasehold interest shall exceed the proposed repayment period by at least one year;))

(c)(((d))) The independent, joint and several, collateral guarantee of the Board of Directors of an arts organization;

(d)(((e))) A chattel mortgage or financing statement on equipment or other personal property owned by the arts organization.

Sec. 50.26. Transfer and Assignment of Loans.

(((a) The unpaid amount of any loan shall be due and payable upon sale or transfer of the ownership of the property, if the arts organization is the owner of the subject property; or upon the date that the arts organization vacates the property, if the organization is the tenant of the subject property.))

(a) The unpaid amount of any loan shall be due and payable upon the occurrence of any of the following events:

(1) Sale of transfer of ownership of the property, if the arts organization is the owner of the subject property.

(2) The vacation of the property by the arts organization, if the organization is the tenant of the subject property.

(3) Cessation of activities by the borrower as a nonprofit performing arts organization, whether or not the property is transferred or vacated.

(4) Cessation of use of the property as a performing arts facility.

(b) Assignment of the unpaid amount of such a loan to a purchaser or transferee may be permitted where the Director

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determines that the purchaser or transferee is an arts organization which qualifies for a loan under current loan eligibility standards. The Director shall promulgate rules and regulations which shall be applied in making the determinations required under this subsection.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Ellie Braverman
Deputy City Attorney

SUPERVISOR KENNEDY

9320j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1991	April 22, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Maher Migden Shelley Ward
Noes: Supervisors Hsieh	Noes: Supervisors Hsieh
Absent: Supervisors Alioto	Absent: Supervisors Gonzalez Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-14

APR 25 1991
Date Approved

Mayor

4/10/91 - As amended in Committee

FILE NO. 97-91-23 ORDINANCE NO. 161-91

(Official Memberships)

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-9 THEREOF TO ADD SIX ORGANIZATIONS TO AND DELETE ONE ORGANIZATION FROM THE MEMBERSHIP LIST OF THE DEPARTMENT OF PUBLIC WORKS.

4/10/91 jll

NOTE: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section I. Chapter 16, Article I, Section 16.6-9 of the San Francisco Administrative Code is hereby amended to read as follows:

Sec. 16.6-9. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - DEPARTMENT OF PUBLIC WORKS.

4/10/91 jll

Air Pollution Control Association

American Concrete Institute

American Forestry Association

American Institute of Architects

American Institute of Steel Construction

American Iron and Steel Institute

American Public Works Association

American Society for Testing and Materials

American Society of Civil Engineers

American Society of Heating, Refrigeration and Air Conditioning Engineers

American Society of Mechanical Engineers

Applied Technology Council

Association of Major City Building Officials

California Association of Code Enforcement Officers for Housing Inspection

California Chapter, International Conference of Building Officials

California Urban Forestry Council

California Water Pollution Control Association

Certified Boiler and Elevator Inspectors

Construction Specifications Institute

County Building Officials Association of California

Government Refuse Collection and Disposal Association

Highway Research Board

Institute of Electrical and Electronic Engineers

Institute of Traffic Engineers

International Association of Electrical Inspectors

International Association of Plumbing and Mechanical Officials

International Conference of Building Officials

4/10/91 jll

((International Shade Tree Conference))

International Society of Arboriculture

Maintenance Superintendents Association of California

National Association for Information and Image Management

National Association of Housing and Redevelopment Officials

National Conference of States on Building Codes and Standards, Inc.

National Electrical Contractors Association

National Fire Protection Association

National Institute of Building Sciences

National Safety Council

National Solid Waste Management Association

Northern California Chapter, American Institute of Architects

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Pacific Southwest Regional Council, National Association of Housing and Redevelopment Officials

Pesticide Applicators Professional Association (PAPA)

Pre-Stress Concrete Institute

San Francisco Committee on Corrosion

Seismological Society of America

Sheet Metal and Air Conditioning Contractors National Association

Society for Fire Protection Engineers

Structural Engineers Association of Northern California

Water Pollution Control Federation

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
Director of Public Works

APPROVED:

_____
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1991	April 22, 1991
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Maher Migden Shelley Ward
Absent: Supervisors Alioto	Absent: Supervisors Alioto Gonzalez Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-91-23

APR 2 5 1991
Date Approved

_____
Mayor

ORIGINAL

Finance

4/10/91 - As amended in Committee

FILE NO 101-90-86 ORDINANCE NO 162-91

RO #90221 SA #112 & 149

(GOVERNMENT FUNDING)

APPROPRIATING $11,497,197 FOR FACILITIES MAINTENANCE PROJECT (VARIOUS POLICE FACILITIES IMPROVEMENT), $15,000 FOR FINANCIAL ADVISOR, $10,000 FOR BOND COUNSEL AND $1,575 FOR COORDINATION SERVICES, POLICE DEPARTMENT, CONTROLLER, CITY ATTORNEY AND CHIEF ADMINISTRATIVE OFFICER, FOR FISCAL YEAR 1990-91; PLACING $9,217,612 ON RESERVE.

4/10/91 jll

4/10/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-608	1987 Police Facilities Improvement Bond Fund		
38-00-00	Police Department		
54-5403 (050302)	Interest Earned - Non-Pooled Cash	$ 623,785	
Project 100-01	Various Police Facilities Improvement		
20-2020 (580357)	Facilities Maintenance Project		$ 623,785
05-620	1987 Police Facilities Improvement Bond Fund		
55-5500 (055475)	Proceeds - Sale of Bonds	$10,899,987	
Project 100-01	Various Police Facilities Improvements		
20-2020 (580480)	Facilities Maintenance Project		$10,873,412
09-00-00	Controller		
Project	Financial Advisor		
20-2010 ( )	Program Project Budget		$ 15,000
03-00-00	City Attorney		
Project	Bond Counsel		
20-2010 ( )	Program Project Budget		$ 10,000
70-00-00	Chief Administrative Officer		
Project	Coordination Services		
20-2010 ( )	Program Project Budget		$ 1,575
	Total - Fund 05-620	$10,899,987	$10,899,987
	Grand Total	$11,523,772	$11,523,772

Section 2. Funds totalling $9,217,612 for various Police facilities improvement are hereby placed on reserve as follows: $4,217,612 for contractual services pending selection of construction firms, submission of a budget, and information on MBE/WBE/LBE status and $5,000,000 for the Mission Station pending detailed information on the City funded purchase of 20,000 square feet for Mission Housing, Inc., to be released by the Finance Committee.

4/10/91 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore A. Lolley
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE

John W. Madden
CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 15, 1991	§	April 22, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Shelley Ward
	§	
	§	Absent: Supervisors Gonzalez Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-90-86

APR 25 1991

Date Approved

Mayor

As amended in Board 4/15/91

FILE NO. 173-91-2 ORDINANCE NO. 163-91

(Approval of Lease of Real Property)

APPROVAL OF LEASE WITH SERVICE ENGINEERING CO. FOR OCCUPANCY OF PIER 50 AND TERMINATION OF LEASE AT PIERS ~~28~~ 36 & ~~40~~ 38, CONTROLLED BY THE SAN FRANCISCO PORT COMMISSION

4/15/91 ejp

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1

The Board of Supervisors finds that:

A. Section 3.581 of the City Charter authorizes the Port Commission to enter into contractual agreements for use of properties under its jurisdiction; and

B. Section 7.402-1 of the Charter of the City and County of San Francisco, authorizes the Board of Supervisors to review and approve by ordinance, the modification and amendment of a lease entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

4/15/91 ejp

C. SERVICE ENGINEERING CO., a ship repair firm currently a tenant of the Port at Pier ~~28~~ 36 and ~~40~~ 38, desires to consolidate all of its operations at Piers 50, space previously occupied by Continental Maritime, a ship repair firm which SECO purchased in 1990; and

D. On February 13, 1991, the San Francisco Port Commission approved Resolution No. 91-12 (copy hereto attached) approving the proposed lease with SECO for Sheds B and D on Pier 50 for 20 years, and allowing the Port to purchase the shed on Pier 54 (space previously occupied by Continental Maritime) and allowing for termination of SECO's present lease for Piers 36 and 38.

Section 2

NOW THEREFORE BE IT ORDAINED That the Board of Supervisors hereby approves the lease terms with SECO for occupancy of space at Sheds B & D on Pier 50 and for termination of SECO's present lease for Piers 36 and 38. A copy of the lease is on file with the Clerk of the Board and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto.

Approved as to form
LOUISE RENNE
City Attorney

by: John Pizzo, Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1991	April 22, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Ward
	Absent: Supervisors Gonzalez Kennedy Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
173-91-2

APR 25 1991
Date Approved

Mayor

FILE NO. 101-90-85 ORDINANCE NO. 164-91

RO #90256 SA #165

(Government Funding)

APPROPRIATING $20,965,000 FOR PAYMENT TO OTHER GOVERNMENTS AND RESCINDING $16,454,500 FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS, WATER DEPARTMENT FOR FISCAL YEAR 1990-91, AN EMERGENCY ORDINANCE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-001	Water Department Operating Fund		
47-00-00	Water Department		
92-9201 (044446)	Sales of Water - Consumers	$ 4,510,500	
Project 601-01	New Water Mains		
20-2030 (680835)	Capital Improvement Project	750,000	
Project 602-01	New Services and Meters		
20-2030 (681064)	Capital Improvement Project	2,300,000	
Project 604-01	Pipeline - Cathodic Protection		
20-2030 (681189)	Capital Improvement Project	250,000	
Project 658-01	Crystal Spring Reservoir Plan		
20-2030 (682674)	Capital Improvement Project	500,000	
Project 661-01	Relocate/Realign Water Mains		
20-2030 (682799)	Capital Improvement Project	500,000	
Project 663-01	Replace Water Mains		
20-2030 (683243)	Capital Improvement Project	8,967,000	
Project 691-01	Replace Customer Meter		
20-2030 (685149)	Capital Improvement Project	187,500	
Project 778-01	Irvington Tunnel #2 - Engineering		
20-2030 (693820)	Capital Improvement Project	400,000	
Project 790-01	Install SCADA System		
20-2030 (694786)	Capital Improvement Project	200,000	
Project 795-01	SCVHD - Emergency Intertie		
20-2030 (694836)	Capital Improvement Project	2,200,000	
Project 798-01	Sunol Auto Shop		
20-2030 (694869)	Capital Improvement Project	200,000	
10-1420 (387019)	Payment To Other Government		$20,965,000
	Total	$ 20,965,000	$ 20,965,000

Section 2. This ordinance is passed as an emergency measure pursuant to Section 2.301 of the Charter. The nature of the emergency is that the City needs immediate access to these funds to secure supplemental water supplies to obviate the need for severe water rationing. The absence of immediate access by the City to these funds to secure supplemental water supplies will have severe economic effects on the City and other communities which depend on it for water causing serious economic disruption and unemployment.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

957-appprdn/cbl/53854

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Passed as an Emergency Measure
Board of Supervisors, San Francisco April 29, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance
was passed by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-95

APR 30 1991
Date Approved

Mayor

FILE NO. 97-91-12 ORDINANCE NO. 165-91

[VICTIMS OF VIOLENCE ADVISORY COMMITTEE]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 36-A TO ESTABLISH THE VICTIMS OF VIOLENCE ADVISORY COMMITTEE.

NOTE: All sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding thereto Chapter 36-A to read as follows:

CHAPTER 36-A

VICTIMS OF VIOLENCE ADVISORY COMMITTEE

SEC. 36A.1. ESTABLISHMENT, ADVISORY COMMITTEE.

There is hereby established a Victims of Violence Advisory Committee (hereinafter referred to as "Advisory Committee") composed of representatives from city departments and community agencies for the purpose of analyzing data and policies relating to the services provided to victims of violent crimes and advising the Board of Supervisors of recommendations to develop and coordinate services for individuals affected by violent crime. The Advisory Committee shall also facilitate coordination of services and sharing of resources among community agencies and city departments that serve victims of violence.

SEC. 36A.2. COMPOSITION.

The Victims of Crime Advisory Committee shall be composed of nineteen (19) members. Each member of the Board of Supervisors shall appoint one member to the Advisory Committee, and appointees shall represent community organizations which provide victim services. Five (5) of the eleven (11) initially appointed members, as determined by lot, shall be appointed to two year terms, and the remaining six members, as well as all members subsequently appointed to serve full terms, shall be appointed to four year terms. The remaining eight members of the Committee shall be composed of: (a) one representative from each of the following six city departments as designated by the head of his or her department: Department of Social Services, Department of Public Health - Division of Mental Health, District Attorney, Adult Probation Department, Police Department, and Juvenile Probation Department; (b) the Presiding Judge of the Superior Court and the Presiding Judge of the Municipal Court shall each designate an appropriate representative, and such representatives shall also serve as members of the Advisory Committee. These eight designated members shall serve at the pleasure of their appointing authority. All Advisory Committee members shall serve without compensation and may be reappointed.

In making their appointments, the Supervisors shall consult with persons and organizations interested and providing services to victims of violence. The appointees to the Advisory Committee shall be residents of the City and County of San Francisco, and shall be broadly representative of the various community interests in San Francisco.

SEC. 36A.3. PURPOSE AND DUTIES, REPORT.

The Advisory Committee shall submit to the Board of Supervisors a report analyzing data and findings relating to community and city services provided to victims of violence, and

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/ / /

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such report shall include, but not be limited to, recommendations regarding the following:

1. The organizational structure that imparts victim services.

2. Policies that affect the development of programs to serve effectively victims of violence.

3. The inter-agency and inter-department organization that facilitates the coordination of services and sharing of resources.

The Advisory Committee shall provide a public forum for the purpose of soliciting suggestions and recommendations from the general public as to the most appropriate ways of providing services to victims of violence and forming recommendations to maintain consumer guided services. The Advisory Committee shall review the public testimony, and shall include a summary and analysis of said testimony in its report to the Board of Supervisors.

The Advisory Committee shall annually submit a report to the Board of Supervisors, the first one of which shall be due within one year of the appointment of all initial members to the Committee.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lolley
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 22, 1991	§	April 29, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy	§	Absent: Supervisors Gonzalez Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

MAY 1 1991
Date Approved

Mayor

File No.
97-91-12

FILE NO. 27-91-3 ORDINANCE NO 166-91

APPROVING MODIFICATION NO. 10 OF LEASE AGREEMENT BETWEEN UNITED AIR LINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 10 of the Lease and Use Agreement between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modifications are contained in Board of Supervisors' file number 27-91-3.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By Dona Sanchez

Deputy City Attorney

2866p

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1991	April 29, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Ward	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy Shelley	Absent: Supervisors Gonzalez Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor

Clerk

File No. 27-91-3

MAY 1 1991

Date Approved

Mayor

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MAY 2 2 1991

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FILE NO. 101-90-88 ORDINANCE NO. 167-91

RO #90244 SA #159

(Government Funding)

4/24/91 jll APPROPRIATING ~~$2,181,631~~ $2,173,801 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, FEES AND OTHER COMPENSATION, TRAVEL, AND MEMBERSHIP DUES AND RESCINDING $563,830 FROM PERMANENT SALARIES, TEMPORARY SALARIES, RELATED MANDATORY FRINGE BENEFITS, DATA PROCESSING/WORD PROCESSING PROFESSIONAL SERVICES, DATA/WORD PROCESSING EQUIPMENT MAINTENANCE, OTHER SERVICES, FIXED CHARGES, SERVICES OF OTHER DEPARTMENTS - JUVENILE COURT, SERVICES OF OTHER DEPARTMENTS - CITY MAIL SERVICES

4/24/91 jll AND FEES AND OTHER COMPENSATION, FOR A SALARY RANGE ADJUSTMENT OF ~~NINE (9)~~ TEN (10) COURT COMMISSIONERS, SUBJECT OF PREVIOUS BUDGETARY DENIAL FOR FEES AND OTHER COMPENSATIONS, TRAVEL AND MEMBERSHIP DUES; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, SUPERIOR COURT AND COUNTY CLERK FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
4/24/91 jll Subsidiary 00006	General Reserve	$ 1,609,971 ~~$ 1,617,801~~	
10-01-00	Superior Court		
02-0200 (316083)	Temporary Salaries	2,261	
04-0600	Retirement	113,752	
10-1050	Data Processing/Word Processing Professional Services	14,320	
10-1060	Data/Word Processing Equipment Maintenance	46,000	
10-1200	Other Services	12,876	
10-1400	Fixed Charges	9,150	
30-3320	Services of Other Departments - Juvenile Court	23,100	
30-3510	Services of Other Departments - City Mail Services	21,863	
01-0010	Permanent Salaries		$ 198,568
02-0400	Fees and Other Compensation		1,914,331
4/24/91 jll 10-1120	Travel		3,878 ~~11,708~~
10-1440	Membership Dues		7,370
Project 003-01	Arbitration-State Mandate		
02-0400 (316091)	Fees and Other Compensation	81,000	
01-0010	Permanent Salaries		1,147
04-0600	Retirement		438
Project 011-01	Juvenile Justice Commission		
04-0600	Retirement		13,400
Project 012-01	Other Court Expenses		
10-1200 (316091)	Other Services	3,000	
04-0606	Social Security		6,676
Project 032-01	Trial Court Delay Reduction		
01-0010	Permanent Salaries		26,645
04-0600	Retirement		1,348
	Total-Superior Court	$ 327,322	
15-01-00	County Clerk		
01-0010 (322016)	Permanent Salaries	$ 103,823	
04-0600 (322016)	Retirement	111,535	
01-0010 (322032)	Permanent Salaries	12,815	
04-0600 (322032)	Retirement	8,335	
	Total - County Clerk	$ 236,508	
4/24/91 jll	Grand Total	$ 2,173,801 ~~$ 2,181,631~~	$ 2,173,801 ~~$ 2,181,631~~

Section 2. Funds are hereby appropriated for a salary range adjustment for ~~nine (9)~~ ten (10) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-90-19) as follows:

FUND: DEPARTMENT: CLASSIFICATION:	GENERAL FUND SUPERIOR COURT RATE	CREATED	DELETED
4/24/91 jll 0620 Court Commissioners			~~9~~ 10
4/24/91 jll 0620 Court Commissioners	2,804 B 3,246	~~9~~ 10	

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Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items (Fees and Other Compensations, Travel and Membership Dues) were previously requested by budget estimate and denied by the Board of Supervisors.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

CIVIL SERVICE COMMISSION:

BY: Albert Walker
Acting GENERAL MANAGER, PERSONNEL

957-appeals/ch1/42843

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Absent: Supervisors Britt Maher Ward	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Marlena Byrne
ACTING Clerk

File No.
101-90-88

MAY, 8 1991
Date Approved

Mayor

4/24/91 - As amended in Committee

SALARIES AND WAGES
FILE NO. 102-90-19

SAL. ORD. AMEND. NO. 18
ORDINANCE NO. ~~168-91~~

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) TO PROVIDE A SALARY INCREASE FOR COURT COMMISSIONERS IN THE SUPERIOR COURT EFFECTIVE JANUARY 1, 1991.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

NO. OF POS.		CLASS AND ITEM NO.	CLASS TITLE	COMPENSATION SCHEDULE
		Department	10 Superior Court	
		Division	01 Superior Court	
		Section	00 Superior Court	
		Program	1707 Superior Court Services	
		Fund	01001 General Fund	
		Index	316083 Superior Court Exp.	
		Proj/Phase	000/00 Unassigned Title	
		Object	001 Permanent Salaries-Miscellaneous	
9	abolished	0 0620 A	Court Commissioner, Superior Court...$5874 M 6799	
9	added	9 0620 A	Court Commissioner, Superior Court... 6075 M 7033	
		Department	10 Superior Court	
		Division	01 Superior Court	
		Section	00 Superior Court	
		Program	1707 Superior Court Services	
		Fund	01001 General Fund	
		Index	316091 Sup Ct Project Exp.	
		Proj/Phase	000/00 Arbitration-State-Mandate	
		Object	001 Permanent Salaries-Miscellaneous	
1	abolished	0 0620 A	Court Commissioner, Superior Court...$5874 M 6799	
1	added	1 0620 A	Court Commissioner, Superior Court... 6075 M 7033	

Classification 0620 has four salary steps, the minimum and maximum listed above; the intermediate steps are $6381 and $6699.

Section 2. This Ordinance shall be effective January 1, 1991.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading

April 29, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher Ward

Finally Passed

May 6, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward

Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
102-90-19

MAY 8 1991
Date Approved

Mayor

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MAY 22 1991

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FILE NO. 101-90-89 ORDINANCE NO. 169-91

RO #90246 SA #161

(Government Funding)

APPROPRIATING $109,000 FOR ARCHITECTURAL SERVICE, RENTAL OF PROPERTY, DATA/WORD PROCESSING EQUIPMENT AND SERVICES OF OTHER DEPARTMENTS - REAL ESTATE SERVICE, SUPERIOR COURT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-010	Temporary Courthouse		
	Construction Fund		
10-00-00	Superior Court		
Project 001-01	Courthouse Temporary Construction		
70-7002 (045690)	Court Filing Fees/Surcharge	$ 109,000	
Project 008-01	Temporary Courtroom Space		
10-1261 (316117)	Architectural Service		$ 12,000
14-1460	Rental of Property		13,000
22-2310	Data/Word Processing Equipment		65,000
30-3030	Services of Other Departments-Real Estate Service		19,000
	Total	$ 109,000	$ 109,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Leodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-wpppadu/ch1/48

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Bulen
ACTING Clerk

File No. 101-90-89

MAY 8 1991
Date Approved

Mayor

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MAY 2 2 1991

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FILE NO. 101-90-1.1 ORDINANCE NO. 170-91

(ANNUAL APPROPRIATION ORDINANCE)

AMENDING THE ANNUAL APPROPRIATION ORDINANCE (ORDINANCE 258-90) TO DELETE RESERVE FOR CAPITAL ITEMS.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Section 11.12 of Ordinance 258-90 is deleted in its entirety.

(This entire section is deleted.)

((SECTION 11.12. The Controller is hereby authorized and directed to maintain a reserve for capital items. The purpose of this is to provide a reserve for capital items pending specific allocation in the manner provided by the charter for supplemental appropriations.))

((Upon completion of a General Fund or general fund supported capital item, any unexpended balance remaining in the project appropriation shall be automatically appropriated to Reserve for Capital Items and said reserve shall be made available for additional capital related projects subject to the budgetary and fiscal provisions of the charter.))

APPROVED:

by Louise R. Renne
LOUISE H. RENNE
CITY ATTORNEY

MAR 25 1991

RECOMMENDED:

Edward Harrington
EDWARD M. HARRINGTON
CONTROLLER

MAR 25 1991

WPPSPGEN -104-pg.119

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 22, 1991	§	April 29, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Kennedy	§	Absent: Supervisors Gonzalez Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-1.1

MAY 1 1991
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 22 1991

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FILE NO. 45-91-19

ORDINANCE NO. 171-91

RO #90222

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF JOHN L. LARSON AGAINST SAMUEL DUCA, ASSESSOR OF THE CITY AND COUNTY OF SAN FRANCISCO, AND CITY AND COUNTY OF SAN FRANCISCO FOR $35,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JOHN L. LARSON V. SAMUEL DUCA, ASSESSOR OF THE CITY AND COUNTY OF SAN FRANCISCO, CITY AND COUNTY OF SAN FRANCISCO," San Francisco Superior Court No. 883-717 (California Court of Appeal No. A049783), by the payment of $35,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ROBERT A. KENEALEY
Assistant Chief
Deputy City Attorney

RECOMMENDED:

RICHARD HONGISTO
Assessor

By: STEPHEN F. DUNBAR
Chief Assistant Assessor

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 02
310110 1450 $35,000.00

APR 11 1991

04/08/91

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-91-19

MAY 10 1991

Date Approved

Mayor

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MAY 22 1991

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4/10/91 - As amended in Committee

FILE NO. 47-91-5 ORDINANCE NO. 172-91

[Garage Lease Documents]

APPROVING AND ADOPTING GOLDEN GATEWAY PARKING GARAGE LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendations of the Parking and Traffic Department of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the Office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

4/3/91 jll Section 3. Any changes made to the Park and Ride Program shall be subject to approval by resolution of the Board of Supervisors.

4/3/91 jll Section ((3)) 4. The Director of Property is authorized to call for bids of said lease pursuant to and in accordance with the Invitation of Bids and Bid Form.

See File for departmental signatures.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: BGW
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Bulon
ACTING Clerk

File No. 47-91-5

MAY 1 0 1991
Date Approved

Mayor

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MAY 2 2 1991
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FILE NO. 97-91-2 ORDINANCE NO. 173-91

(ENVIRONMENTAL REVIEW FEES)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 31.46A, TO BE EFFECTIVE JULY 1, 1991 AND OPERATIVE THROUGH DECEMBER 31, 1993, AND AMENDING SECTION 31.46 TO BE OPERATIVE JANUARY 1, 1994 CONCERNING FEES FOR ENVIRONMENTAL REVIEW PROCEDURES.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 31 of the San Francisco Administrative Code is hereby amended by adding Section 31.46A thereto to read as follows:

TEXT OF ARTICLE EFFECTIVE JULY 1, 1991 AND OPERATIVE THROUGH DECEMBER 31, 1993.

Sec. 31.46A. BASIC FEES

(a) The following basic fees shall be charged by the Department of City Planning, as specified in Section 31.45 above:

(1) For an initial evaluation of a project (Section 31.23) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the fee shall be:

- where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000 ..... $300;
- where said total estimated construction cost is $10,000 or more, but less than $200,000 ..... $300 PLUS .3% of the cost over $10,000;
- where said total estimated construction cost is $200,000 or more, but less than $1,000,000..... $870 plus .23% of the cost over $200,000;
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $2,710 PLUS .19% of the cost over $1,000,000;
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000 ..... $19,810 PLUS .06% of the cost over $10,000,000;
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $31,810 PLUS .02% of the cost over $30,000,000;
- where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000 ..... $35,810 PLUS .006% of the cost over $50,000,000;
- where said total estimated construction cost is $100,000,000 or more . . . . . $38,810 PLUS .002% of the cost over $100,000,000.

(2) For preparation of an environmental impact report (Sections 31.26 - 31.28) excluding use of special expertise or technical assistance, as described in Section 31.47 below the fee shall be:

- where the total estimated construction cost as defined in the San Francisco Building Code is less than $200,000 ..... $11,000 . For each 200 hours of staff time or fraction thereof
- where said total estimated construction cost is

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$200,000 or more, but less than $1,000,000 ..... $11,000 PLUS .28% of the cost over $200,000

- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $13,240 PLUS .19% of the cost over $1,000,000
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000 ..... $30,340 PLUS .075% of the cost over $10,000,000
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $45,340 PLUS .02% of the cost over $30,000,000
- where said total construction cost is $50,000,000 or more, but less than $100,000,000 ..... $49,340 PLUS .01% of the cost over $50,000,000
- where said total estimated construction cost is $100,000,000 or more $59,340 PLUS .01% of the cost over $100,000,000

(3) For an appeal to the City Planning Commission [Sections 31.14(b), 31.24(d), 31.25(b)]: the fee shall be $75 to the appellant, and an additional fee shall be paid by the project sponsor based on the time and materials the Department expends in responding to the appeal; provided, however, that this additional fee shall not exceed the cost of the initial evaluation as set forth in paragraph 1 above.

(4) For a copy of an environmental impact report or other document, where this Chapter does not require the sending of that document to the person requesting it: the actual cost

to the Department of City Planning of reproducing that copy.

(5) For preparation of an amendment to an environmental impact report that has previously been certified, pursuant to Section 31.36: one-third of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above.

(6) For preparation of a supplement to an environmental impact report that has not previously been certified: one-third of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above.

(7) For preparation of a supplement to an environmental impact report that has previously been certified: two-thirds of the fee that would be required for a full environmental impact report on the same project, as set forth in paragraph 2 above.

(8) For preparation of a Certificate of Exemption from Environmental Review: $100.

(9) For preparation of a Letter of Exemption From Environmental Review: $50.

(10) For any project which has the potential to create shadow impact on property protected under City Planning Code Section 295(a), and is subject to computer analysis: a minimum fee of $5,000, and an additional fee to cover the cost of any time and materials which the Department has expended in excess of $5,000.

(11) For monitoring environmental mitigation measures which are imposed as conditions of approvals: cost of time and materials.

(b) Exemption. Any fraternal, charitable, benevolent or any other non-profit organization having a regular membership

associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the non-profit purpose of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in Subsections (a)(1) and (a)(2) above.

(c) Refunds. When a request for an initial evaluation or for preparation of an environmental impact report is (1) either withdrawn by the applicant or deemed canceled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Environmental Review Officer determines that no substantial costs have been incurred by the Department in acting on the request (for example, no activity has occurred beyond initial scoping meetings) then the applicant shall be entitled to a refund of 75% of the fees paid to the Department.

(d) Temporary Surcharge On Environmental Review Fees.

(1) For each basic fee listed in Section 31.46 subsections (a)(1), (7), (8) and (11) above, a two and one-half percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications. This surcharge shall remain in effect until such time as these costs have been recovered or for a period not to exceed two years, from the effective date of this Section.

(2) For each basic fee in Section 31.46 subsections (a)(1) (7), (8) and (11), above, a five and four-tenths percent surcharge shall be added to the filing fee to enable the

Department of City Planning to recover those first-year costs incurred by the Department in computerizing activities associated with its processing of permit applications, including the costs of a consultant, property information database development and other time and materials costs unrelated to the hardware and software systems referred to in subsection (1) above. This surcharge shall remain in effect for a period of one year from the effective date of this section.

(e) Fee For Maintaining And Updating Permit Processing Computer System. For each basic fee listed in Section 31.46 subsections (a)(1), (7), (8) and (11) above, the Department of City Planning shall charge and collect at the time of filing of the application an additional fee of eight and six-tenths and four-tenths percent of the original fee in order to compensate the Department of City Planning for the costs directly related to maintaining its permit processing computer system and for updating the property information data base used by the Department in activities associated with processing permit applications.

(f) Period Section is Operative. This Section is effective July 1, 1991 and operative through December 31, 1993. This Section is repealed as of January 1, 1994, unless a later enacted ordinance extends the operative period.

(g) These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct a public hearing at the end of Fiscal Year 1992-1993 to review the level of service provided by the Department of City Planning in providing

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improved application processing as contemplated under this ordinance. The Commission shall determine at that time whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

Section 2. Chapter 31 of the San Francisco Administrative Code is hereby amended by amending Section 31.46 thereof to read as follows:

TEXT OF ARTICLE OPERATIVE JANUARY 1, 1994

Sec. 31.46. BASIC FEES

(a) Fees. The following basic fees shall be charged by the Department of City Planning, as specified in Section 31.45 above:

(1) For an initial evaluation of a project (Section 31.23) excluding use of special expertise or technical assistance, as described in Section 31.47 below, the fee shall be:

- where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000 .....$160;
- where said total estimated construction cost is 10,000 or more, but less than $1,000,000..... $160 PLUS .17% of the cost over $10,000;
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000.....$1,843 PLUS .11% of the cost over $1,000,000;
- where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000

..... $11,743 PLUS .035% of the cost over $10,000,000;
- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $18,743 PLUS .02% of the cost over $30,000,000;
- where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000 ..... $22,743 PLUS .006% of the cost over $50,000,000;
- where said total estimated construction cost is $100,000,000 or more $25,743 PLUS .002% of the cost over $100,000,000.

(2) For preparation of an environmental impact report (Sections 31.26 - 31.28) excluding use of special expertise or technical assistance, as described in Section 31.47 below the fee shall be:

- where the total estimated construction cost as defined in the San Francisco Building Code is less than $200,000 ..... $7,000 for each 200 hours of staff time or fraction thereof
- where said total estimated construction cost is $200,000 or more, but less than $1,000,000 ..... $7,000 PLUS .15% of the cost over $200,000
- where said total estimated construction cost is $1,000,000 or more, but less than $10,000,000 ..... $8,200 PLUS .11% of the cost over $1,000,000
- where said total estimated construction cost is

///

$10,000,000 or more, but less than $30,000,000 ..... $18,100 PLUS .05% of the cost over $10,000,000

- where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000 ..... $28,100 PLUS .02% of the cost over $30,000,000
- where said total construction cost is $50,000,000 or more, but less than $100,000,000 ..... $32,100 PLUS .02% of the cost over $50,000,000
- where said total estimated construction cost is $100,000,000 or more $42,100 PLUS .01% of the cost over $100,000,000

(3) For an appeal to the City Planning Commission [Sections 31.14(b), 31.24(d), 31.25(b)]: the fee shall be $75 to the appellant, and an additional fee shall be paid by the project sponsor based on the time and materials the Department expends in responding to the appeal; provided, however, that this additional fee shall not exceed the cost of the initial evaluation as set forth in Paragraph 1 above.

(4) For a copy of an environmental impact report or other document, where this Chapter does not require the sending of that document to the person requesting it: the actual cost to the Department of City Planning of reproducing that copy.

(5) For preparation of an amendment to an environmental impact report that has previously been certified, pursuant to Section 31.36: 1/3 (one-third) of the fee that would be required for a full environmental impact report on the same project, as set forth in Paragraph 2 above.

///

(6) For preparation of a supplement to an environmental impact report that has not previously been certified: 1/3 of the fee that would be required for a full environmental impact report on the same project, as set forth in Paragraph 2 above.

(7) For preparation of a supplement to an environmental impact report that has previously been certified: 2/3 of the fee that would be required for a full environmental impact report on the same project, as set forth in Paragraph 2 above.

(8) For preparation of a Certificate of Exemption from Environmental Review: $100.

(9) For any project which has the potential to create shadow impact on property protected under City Planning Code Section 295(a), and is subject to computer analysis: a minimum fee of $5,000, and an additional fee to cover the cost of any time and materials which the Department has expended in excess of $5,000.

(b) Exemption. Any fraternal, charitable, benevolent or any other non-profit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the non-profit purpose of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in Subsections (a)(1) and (a)(2) above.

(c) Refunds. When a request for an initial evaluation or for preparation of an environmental impact report is (1) either withdrawn by the applicant or deemed canceled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Environmental Review Officer determines that no

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substantial costs have been incurred by the Department in acting on the request (for example, no activity has occurred beyond initial scoping meetings) then the applicant shall be entitled to a refund of 75 percent of the fees paid to the Department.

(d) This Article shall become operative on January 1, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By Judith A. Boyajian
Deputy City Attorney

0196j

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Noes: Supervisors Hsieh Maher	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Buko
ACTING Clerk

File No.
97-91-2

MAY 1 0 1991
Date Approved

Art Agnos
Mayor

4/24/91 - As amended in Committee

FILE NO. 101-90-87

ORDINANCE NO. 174-91
RO #90235 SA #148

(GOVERNMENT FUNDING)

4/24/91 jll APPROPRIATING ~~$4,132,415~~ $3,707,215 FOR PAYMENT TO OTHER GOVERNMENTS, FUEL AND LUBRICANTS, MANDATORY FRINGE BENEFIT - RETIREMENT AND SERVICES OF OTHER DEPARTMENTS - WORKERS COMPENSATION, MUNICIPAL RAILWAY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-001	Municipal Railway Operating Fund		
G.L. 491 (023010)	Unappropriated Revenue Retained		
Subsidiary 000026	Federal Budget Reduction Retained	$3,072,415	
G.L. 317 (023010)	Reserve for Prior Year Adjustments	460,000 174,800	
91-9101 (044388)	Passenger Fares	~~600,000~~	
35-02-00	Muni Railway - Management		
10-1420 (560946)	Payment to Other Governments		$ 746,177 ~~$ 782,415~~
04-0600	Retirement - City		72,091 ~~95,000~~
4/24/91 jll 30-3700	Services of Other Departments - Workers Compensation		702,183 ~~850,000~~
	Total - Management		$1,520,451 ~~$1,727,415~~
35-01-00	Muni Railway - Operation		
04-0600 (560664)	Retirement - City		$ 429,512 ~~$ 566,000~~
35-03-00	Muni Railway - Maintenance		
04-0600 (560722)	Retirement - City		$ 257,252 ~~$ 339,000~~
11-1391 (560722)	Fuel and Lubricants		1,500,000
	Total - Maintenance		$1,757,252 ~~$1,839,000~~
	Grand Total	$3,707,215 ~~$4,132,415~~	$3,707,215 ~~$4,132,415~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore P. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Gerald Hawington
CONTROLLER

ac(1155ADM-13)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Absent: Supervisors Britt Maher Ward	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Maureen Burke
ACTING CLERK

File No.
101-90-87

MAY 10 1991
Date Approved

Mayor

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MAY 22 1991

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FILE NO. 114-91-3 ORDINANCE NO. 175-91

(Mandatory Use of Non-potable Water)

AMENDING PART II, CHAPTER X OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY ADDING ARTICLE 21, SECTIONS 1100 - 1107 RESTRICTING THE USE OF POTABLE WATER FOR SOIL COMPACTION OR DUST CONTROL ACTIVITIES AND PROVIDING PENALTIES AND REMEDIES FOR FAILURE TO COMPLY WITH THE PROVISIONS OF ARTICLE 21; ADOPTING FINDINGS REGARDING THE EFFECTS OF DROUGHT AND THE NECESSITY TO RESTRICT THE USE OF POTABLE WATER FOR SOIL COMPACTION AND DUST CONTROL ACTIVITIES.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter X of the San Francisco Municipal Code (Public Works Code) is amended by adding Article 21, Sections 1100 - 1107 to read as follows:

ARTICLE 21

RESTRICTION OF USE OF POTABLE WATER
FOR SOIL COMPACTION AND DUST CONTROL ACTIVITIES

SEC. 1100. FINDINGS.

a) The entire state of California is suffering from the effects of a fifth consecutive drought year, which include the reduction of available water supplies to extremely limited levels. Rationing programs have been established in most areas of the state, including the City and County of San Francisco. Although recent rainstorms have lessened the severity of the drought, existing water supplies remain at extremely low levels.

b) The drought highlights the need to permanently manage water resources in a prudent manner. The responsibility for management of San Francisco's water resources is under the jurisdiction of the Public Utilities Commission ("Commission"). The Board of Supervisors should exercise its legislative authority to assist the Commission in achieving its goals.

c) The Commission has found that the use of high quality potable water for construction and demolition purposes in San Francisco is widespread. The use of such water supplies is not necessary for many construction and demolition purposes. Non-potable water is available for such purposes from various sources, including wastewater reclamation facilities and permitted groundwater wells. Use of non-potable water from those sources for construction and demolition purposes would not present a health or a safety hazard if used in accordance with applicable State Department of Health and State Water Resources Control Board standards and requirements.

d) The Commission has found that the use of increasingly scarce supplies of high quality potable water for soil compaction and dust control is no longer feasible or in the public interest when appropriate substitute sources of non-potable water are available.

e) The Commission's findings are adopted by this Board. Furthermore, this Board finds that public interests in the preservation of high quality potable water for important human consumption uses would best be served by prohibiting the use of such water supplies for soil compaction or dust control when alternative supplies are available.

SEC. 1101. RESTRICTION OF USE OF POTABLE WATER.

Potable water shall not be used for soil compaction or dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of the City and County of San Francisco, unless permission is obtained from the City Water Department in accordance with this Article and all applicable Water Department policies and regulations.

SEC. 1102. APPLICATION PROCEDURE.

a) Except as provided in subsection (f), any person or entity that desires to use potable water for soil compaction or dust

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control activities to be undertaken in conjunction with a construction or demolition project occurring within the boundaries of the City and County of San Francisco shall apply to the General Manager of the Water Department for permission for such use of potable water.

b) Permission to use potable water for soil compaction or dust control activities may be granted by the General Manager if he or she determines in writing that:

1) Reclaimed water is not available in sufficient quality and quantity from wastewater treatment facilities located within ten miles of the construction or demolition site; and

2) Well water or groundwater is not available in sufficient quality and quantity from wells and groundwater sources located within ten miles of the construction or demolition site.

c) The cost of obtaining reclaimed water, well water or groundwater shall not be used as a factor in determining whether such water supplies are available.

d) Any person applying for permission to use potable water for soil compaction or dust control activities shall have the burden of providing sufficient evidence to the General Manager of the unavailability of reclaimed water, well water and groundwater supplies.

e) The General Manager's permission to use potable water pursuant to this Article may contain any conditions necessary to effectuate the purposes of this Article.

f) The Director of Public Works shall promulgate rules and regulations that will provide for an exemption from this Article for categories of small construction or demolition projects that commonly consume less than approximately 500 gallons of water per day. This exemption shall be implemented through the process of issuing construction-related permits and shall be based on project size,

cost, characteristics or any other criteria or assumptions that reasonably accomplish the intent of this subsection.

SEC. 1103. USE OF NON-POTABLE WATER.

a) Reclaimed water, well water and ground water shall be transported and used in accordance with State Health Department, State Water Resources Control Board, Regional Water Quality Control Board and City Departments of Health and Public Works orders, standards and regulations and all other applicable laws and regulations. Such transportation and use shall at all times be in compliance with all applicable labeling, warning and signage requirements.

SEC. 1104. INSPECTIONS, STOP ORDERS.

The Department of Public Works is authorized to inspect all construction and demolition sites in the City for the purpose of determining compliance with this Article. The Director shall have the power to stop the construction or demolition work when, in the opinion of the Director, such work is being done in violation of any of the provisions of this Article and to order all work to be stopped by notice in writing served upon any persons engaged in the doing or causing of such work to be done. The work shall be stopped immediately and shall not be resumed without authorization from the Director of Public Works.

SEC. 1105. PENALTIES.

a) Any person who violates any provision of this Article is guilty of an infraction punishable by a fine in an amount not in excess of $500. Each day each violation is committed or permitted to continue shall constitute a separate offense.

b) Any person who intentionally or negligently violates any provision of this Article shall be liable civilly to the City in an amount not to exceed $1000 per day for each violation that occurs.

c) Remedies under this section are in addition to, and do not supercede or limit any and all other civil or criminal remedies available to the City under local, state and federal laws.

SEC. 1106. RULES AND REGULATIONS.

The Water Department, the Department of Public Works and the Department of Health are authorized to promulgate such rules and regulations as are necessary to administer the provisions of this Article.

SEC. 1107. GOVERNMENTAL PROJECTS.

To the extent not directly in conflict with any applicable state or federal law, the provisions of this Article shall apply to all soil compaction and dust control activities undertaken in conjunction with the construction or demolition of public facilities by governmental entities.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Maher	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
ACTING Clerk

File No.
114-91-3

MAY 1 0 1991
Date Approved

_____
Mayor

FILE NO. 115-91-1 ORDINANCE NO. 176-91

(PLANNING FEES)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING ARTICLE 3.5A, FEES, ARTICLE TO BE OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1993, TO IMPOSE NEW FEES AND CHANGE THE AMOUNT OF FEES CURRENTLY CHARGED RELATING TO DEPARTMENT OF CITY PLANNING ACTIONS INCLUDING THE REVIEW OF PLANNING AUTHORIZATIONS AND AMENDING ARTICLE 3.5 TO BE OPERATIVE JANUARY 1, 1994.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter II, Article 3, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Article 3.5A to read as follows:

TEXT OF ARTICLE OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1993

ARTICLE 3.5A

FEES

Sec. 350. FEES, GENERAL. In order to compensate the Department of City Planning for a part of the cost of processing permit applications for the establishment, abolition or modification of a setback line, for signs, for demolition, for reclassification of property, for conditional use authorization, for granting of an exemption, for a variance, or for a coastal zone permit, in order to compensate the Department of City Planning for a part of the cost of reviewing permit applications filed in and issued by other City departments, and in order to compensate the Department of City Planning for a part of the cost of reviewing institutional master plans, Master Plan referrals, projects which require review under Section 295 of this Code (park shadow ordinance) and permits requiring additional review by nature of their location within the C-3 District, providing Letters of Zoning compliance, and in order to compensate the Department of City Planning for the costs relating to computerization of records and processes, fees shall be charged and collected as indicated for each class of application, permit, filing or request listed in Section 351 through 367 below.

Sec. 351. FEES FOR APPLICATIONS TO ESTABLISH, ABOLISH OR MODIFY A SETBACK LINE, TO RECLASSIFY PROPERTY, TO AUTHORIZE A CONDITIONAL USE, TO CONSIDER A VARIANCE, OR TO REVIEW A COASTAL ZONE PERMIT. Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as follows:

(a) For each application to establish, abolish or modify a setback line, the fee shall be $500 for each block frontage, or portion thereof, affected by the proposed application.

(b) For each application to reclassify property or impose interim zoning controls, the fee shall be.

Assessor's Block or Portion Thereof		Fee
1		$ 1,000
2		$ 1,250
3		$ 1,500
4		$ 1,750
5		$ 2,000
6		$ 2,250
7		$ 2,500
8		$ 2,750
9		$ 3,000
10 or more	$3,250 plus	$ 250 per block or portion thereof;

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(c) For each application to authorize a conditional use pursuant to Section 303 of this Code, including a planned unit development under Section 304 of this Code, or a variance under Section 305 or a Coastal Zone Permit under Section 330, the fee shall be:

(1) Where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000, $325;

(2) Where said total estimated construction cost is $10,000 or more, but less than $1,000,000, $410 plus .285% of the cost over $10,000;

(3) Where said total estimated construction cost is $1,000,000 or more, but less than $5,000,000, $3,232 plus .33% of the cost over $1,000,000;

(4) Where said total construction cost is $5,000,000 or more, but less than $10,000,000, $16,432 plus .285% of the cost over $5,000,000;

(5) Where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000, $30,682 plus .146% of the cost over $10,000,000;

(6) Where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000, $59,882 plus .09% of the cost over $30,000,000;

(7) Where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000, $77,882 plus .06% of the cost over $50,000,000;

(8) Where said total estimated construction cost is $100,000,000 or more, $107,882 plus .016% of the cost over $100,000,000.

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Where an applicant requests both a conditional use authorization and coastal zone permit review, the amount of the conditional use fee shall be reduced by 50 percent.

(d) For each application to authorize a variance pursuant to Section 305 of this Code, the fee shall be:

(1) Where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000, $500;

(2) Where said total estimated construction cost is $10,000 or more, but less than $1,000,000, $500 plus .28% of the cost over $10,000;

(3) Where said total estimated construction cost is $1,000,000 or more, but less than $5,000,000, $3,272 plus .34% of the cost over $1,000,000;

(4) Where said total construction cost is $5,000,000 or more, but less than $10,000,000, $16,872 plus .28% of the cost over $5,000,000;

(5) Where said total construction cost is $10,000,000 or more, but less than $30,000,000, $30,872 plus .15% of the cost over $10,000,000;

(6) Where said total construction cost is $30,000,000 or more, but less than $50,000,000, $60,872 plus .09% of the cost over $30,000,000;

(7) Where said total construction cost is $50,000,000 or more, but less than $100,000,000, $78,872 plus .06% of the cost over $50,000,000;

(8) Where said total construction cost is $100,000,000 or more, $108,872 plus .016% of the cost over $100,000,000.

(e) Exemption. Any fraternal, charitable, benevolent or any other nonprofit organization having a regular membership

associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the nonprofit purposes of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other nonprofit organization, shall be exempt from paying the fees specified in paragraphs (a) through (d) inclusive of this Section. Any fraternal, charitable, benevolent or any other non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in paragraphs (a) through (d) inclusive of this Section; provided that the application is for the development of residential units all of which units are affordable to low and moderate households, as defined in the Guidelines of the United States Housing and Urban Development Department for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses.

(f) Refunds. When an application is (1) either withdrawn by the applicant, or deemed cancelled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Zoning Administrator determines that no substantial costs have been incurred by the Department in acting on the application (for example, little time has been expended beyond initial scoping meetings), then the applicant shall be entitled to a refund of 75 percent of the fee paid to the Department.

Sec. 352. FEE FOR REVIEW OF BUILDING PERMIT APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of the review of building permit applications for compliance with the City Planning Code, fees shall be charged and collected by the Central Permit Bureau, upon application for a permit for a new building, or a permit to change the use or alter the exterior of an existing building, as indicated below, in conjunction with current and existing fee collections:

(a) Where the total estimated construction cost as defined by the San Francisco Building Code is $10,000 or less, the fee shall be $60;

(b) Where said total estimated construction cost is more than $10,000, but less than $200,000, the fee shall be $60 plus .17% of the cost over $10,000;

(c) Where said total estimated construction cost is $200,000 or more, but less than $5,000,000, the fee shall be $383 plus .16% of the cost over $200,000;

(d) Where said total estimated construction cost is $5,000,000 or more, but less than $10,000,000, the fee shall be $8,063 plus .14% of the cost over $5,000,000;

(e) Where said total estimated construction cost is $10,000,000 or more, the fee shall be $15,063 plus .13% of the cost over $10,000,000;

In addition to the fees set forth above, there shall be the following additional fees, to be collected by the Central Permit Bureau, upon identification by the Department of City Planning:

(d) Where the building permit is for property within the C-3 (Downtown Commercial) District, an additional fee of $200 to cover costs of providing the notices required under Section

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309(c) and (d) of this Code:

(e) Where the building permit involves new construction exceeding 40 feet in height as defined under this Code or an alteration to an existing building which changes any exterior dimensions of the building at an elevation exceeding 40 feet in height, an additional fee of $200 to cover costs to the Department of City Planning to determine if the project will cast any new shadows upon property pursuant to Section 295 of this Code.

Sec. 353. FEE FOR BUILDING DEMOLITION APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of review of building permit applications for demolition, the fee shall be $200, to be collected by the Central Permit Bureau, at time of application.

Sec. 354. FEE FOR SIGN APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of the review of sign applications, the fee shall be $75, to be collected by the Central Permit Bureau, at time of application.

Sec. 355. FEE FOR REVIEW OF PERMIT APPLICATIONS ISSUED BY THE FIRE DEPARTMENT, THE POLICE DEPARTMENT AND THE DEPARTMENT OF PUBLIC HEALTH. In order to compensate the Department of City Planning for a part of the cost of the review of permit applications under the jurisdiction of the Fire Department, the Police Department and the Department of Public Health, a fee of $40 shall be charged and collected by the other departments in conjunction with current and existing fee collections.

Sec. 356. FEE FOR FILING OF INSTITUTIONAL MASTER PLANS. In order to compensate the Department of City Planning for the cost of reviewing institutional master plans pursuant to Section

304.5 of this Code, the Department shall charge and collect a fee as follows:

(a) Where a full institutional master plan or substantial revision to such a plan is filed, the fee shall be $1,000 to be collected prior to the Department's accepting the plan;

(b) Where an abbreviated institutional master plan is filed, the fee shall be $300 to be collected prior to the Department's accepting the plan; when a Planning Commission public hearing is deemed necessary, an additional fee of $300 shall be collected prior to the Department's providing notice of the hearing.

Sec. 357. FEE FOR REVIEWING NOTICES OF SPECIAL RESTRICTIONS. The Zoning Administrator shall maintain a list of those provisions of this Code containing a requirement that a notice of restrictions be recorded in the office of the County Recorder and any applicant seeking approval of the form of such notice shall be charged a fee of $50.

Sec. 358. FEE FOR REVIEWING MASTER PLAN REFERRALS. In order to compensate the Department of City Planning for the cost of reviewing master plan referrals pursuant to Section 101.1 of this Code, the fee shall be $100 for those which are handled administratively and $250 for referrals requiring City Planning Commission action.

Sec. 359. FEE FOR CITY PLANNING COMMISSION REVIEW OF PROJECTS WITHIN THE C-3 (DOWNTOWN COMMERCIAL) DISTRICT. In order to compensate the Department of City Planning for the cost of reviewing projects within the C-3 (Downtown Commercial) District, pursuant to Section 309 of this Code, the Department shall charge and collect the following fees:

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(a) A fee based on the fee schedule in Section 351(c) above to cover costs for determination of whether additional modifications are necessary as authorized in Section 309 of this Code;

(b) For an application for an exception, as authorized in Section 309(a) of this Code, a fee equal to 1/2 the fee as set forth in Section 351(c) shall be charged and collected by the Department of City Planning prior to accepting said application.

Sec. 360. FEE FOR REVIEWING PROJECTS SUBJECT TO OFFICE DEVELOPMENT LIMITS. In order to compensate the Department of City Planning for the cost of reviewing projects pursuant to Sections 320 through 323 of this Code, the Department shall charge and collect, at the time of application for project authorization, $15,000 per application.

Sec. 361. FEE FOR MONITORING PROJECTS.

Fees under this Section shall be collected as follows:

(a) In order to compensate the Department of City Planning for the cost of monitoring authorized projects under Sections 149, 163, 164, 165 and 321 of this Code, the Department shall charge $5,000 per project, to be collected by the Central Permit Bureau at the time the Building Permit is issued.

(b) All approved applications in Section 351(c) and (d) and Section 359 shall be required to pay $100 plus time and materials beyond two hours of staff time for monitoring conditions of approval.

Sec. 362 FEE FOR REVIEWING REQUESTS RELATING TO TDR AND ARTICLE 11 DESIGNATED BUILDING. Fees under this Section shall be collected as follows:

(a) For each application for designation or change of designation of a Significant or Contributory Building, the fee

shall be $500.

(b) For each application for designation or change of boundary of a Conservation District, the fee shall be $500.

(c) An application for a permit for alteration of a Significant or Contributory Building or building within a designated Conservation District which the Zoning Administrator has deemed minor as provided in Section 1111 or 1111.1 shall have no fee in addition to other fees which may be applicable.

(d) An application for a permit for alteration not deemed minor, as described in Subsection (c) above shall be $200, where the estimated construction cost is less than $10,000. Where the estimated construction cost is $10,000 or more, the fee shall be the same as established in Section 351 (c) above. This fee shall be in addition to any fee otherwise required for permits to alter or demolish; provided, however, that if the permit is for alteration of a Contributory Building located outside a Conservation District from which no TDR have been transferred, and the applicant elects to proceed without issuance of a permit pursuant to Sections 1111 through 1111.6, the fee shall be $25.

(e) An application for a permit to demolish a Significant or Contributory Building shall be $500. This fee shall be in addition to any fee otherwise required for permits to alter or demolish. However, no fee in addition to that otherwise required for a demolition permit shall be charged for an application to demolish a Contributory Building located outside a Conservation District from which no TDR have been transferred or a Category V Building in a Conservation District from which no TDR have been transferred.

(f) For each application for a Statement of Eligibility the fee shall be $500, for execution of a Certificate of

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Transfer the fee shall be $250, and for Certification of Transfer of TDR the fee shall be $500.

(g) For each permit application for a determination that a building is a compatible rehabilitation or a compatible replacement building, pursuant to Sections 309 and 1109, the fee shall be the same as an application for a conditional use permit.

Exemption. Any organization exempt from federal income taxes under Internal Revenue Code Section 501(c)(3) shall be exempt from paying the fees specified in this section.

Sec. 363 FILING FEES AND PROVISION FOR EXCEPTION. Before accepting for filing any application for designation of a landmark, or for amendment or rescission of such designation, or for an application for a certificate of appropriateness under Article 10, the Department shall charge and collect the fees here specified:

(a) For each application for designation of a landmark the fee shall be $100, for the amendment or rescission or the designation of an historical district, the fee shall be $250

(b) For each application for a certificate of appropriateness the fee shall be $50 where the estimated construction cost is less than $1,000 and $200 where the estimated construction cost is more than $1,000 but less than $10,000. Where the estimated construction cost is $10,000 or more, the fee shall be the same as established in Section 351(c) above.

(c) Exemption. Any fraternal, charitable, benevolent or any other nonprofit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the nonprofit purposes of said organization, and to which organization is exempt from

taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, benevolent or other nonprofit organization shall be exempt from paying the fee specified in Subsection (a) above.

Sec. 364. FEE FOR REVIEW OF PROJECTS UNDER DISCRETIONARY REVIEW. Any person who requests that the Department of City Planning schedule before the City Planning Commission a hearing to consider a permit pursuant to Section 26 of Part III of the San Francisco Municipal Code shall, prior to the Department's providing notice of such hearing, pay a fee of $75.

Sec. 365. FEE FOR LETTERS OF ZONING COMPLIANCE. In order to compensate the Department of City Planning for the cost of research and writing, requests for Letters of Zoning Compliance shall be charged as follows:

(a) Single Family residence: $50.

(b) Projects under forty feet in height: $100.

(c) Projects over forty feet in height: $250.

Sec. 366. TEMPORARY SURCHARGES ON PLANNING FEES.

(a) For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, a two and one-half percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications. This surcharge shall remain in effect until such time as these costs have been recovered or for a period not to exceed two years, from the effective date of this Section.

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(b) For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, a five and four-tenths percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover those first-year costs incurred by the Department in computerizing activities associated with its processing of permit applications, including the costs of a consultant, property information database development and other time and materials costs unrelated to the hardware and software systems referred to in subsection (a) above. This surcharge shall remain in effect for a period of one year from the effective date of this section.

Sec. 367. FEE FOR MAINTAINING AND UPDATING PERMIT PROCESSING COMPUTER SYSTEM. For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, the Department of City Planning shall charge and collect at the time of filing of the application an additional fee of eight and six-tenths percent of the original fee in order to compensate the Department of City Planning for the costs directly related to maintaining its permit processing computer system and for updating the property information data base used by the Department in activities associated with processing permit applications.

SEC. 368. PERIOD ARTICLE IS OPERATIVE. THIS ARTICLE IS OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1993. This Article is repealed as of January 1, 1994 unless a later enacted ordinance extends the operative period.

These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely

processing of applications within that Department.

The City Planning Commission shall conduct a public hearing at the end of Fiscal Year 1992-1993 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at that time whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

Section 2. Part II, Chapter II, Article 3 of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Article 3.5 to read as follows:

ARTICLE 3.5

FEES

TEXT OF SECTION OPERATIVE JANUARY 1, 1994

SEC. 350. FEES, GENERAL. In order to compensate the Department of City Planning for a part of the cost of processing permit applications for the establishment, abolition or modification of a setback line, for signs, for demolition, for reclassification of property, for conditional use authorization, for granting of an exemption, for a variance, or for a coastal zone permit, in order to compensate the Department of City Planning for a part of the cost of reviewing permit applications filed in and issued by other City departments, and in order to compensate the Department of City Planning for a part of the cost of reviewing institutional master plans, projects which require review under Section 295 of this Code (park shadow

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ordinance) and permits requiring additional review by nature of their location within the C-3 District, fees shall be charged and collected as indicated for each class of application, permit, filing or request listed in Sections 351 through 363 below.

SEC. 351. FEES FOR APPLICATIONS TO ESTABLISH, ABOLISH OR MODIFY A SETBACK LINE, TO RECLASSIFY PROPERTY, TO AUTHORIZE A CONDITIONAL USE, TO CONSIDER A VARIANCE, OR TO REVIEW A COASTAL ZONE PERMIT. Before accepting any application for filing, the Department of City Planning shall charge and collect a fee as follows:

(a) For each application to establish, abolish or modify a setback line, the fee shall be $500 for each block frontage, or portion thereof, affected by the proposed application.

(b) For each application to reclassify property or impose interim zoning controls, the fee shall be,

Assessor's Block or Portion Thereof	Fee
1	$ 750
2	1,000
3	1,250
4	1,500
5	1,750
6	2,000
7	2,250
8	2,500
9	2,750
10 or more	$3,000 plus $ 200 per block or portion thereof

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(c) For each application to authorize a conditional use pursuant to Section 303 of this Code, including a planned unit development under Section 304 of this Code or a variance under Section 305 or a Coastal Zone Permit under Section 330, the fee shall be:

(1) Where the total estimated construction cost as defined by the San Francisco Building Code is less than $10,000, $275;

(2) Where said total estimated construction cost is $10,000 or more, but less than $1,000,000, $350 plus two and four-tenths of one percent of the cost over $10,000;

(3) Where said total estimated construction cost is $1,000,000 or more, but less than $5,000,000, $2,726 plus two and eight-tenths of one percent of the cost over $1,000,000;

(4) Where said total construction cost is $5,000,000 or more, but less than $10,000,000, $13,926 plus two and four-tenths of one percent of the cost over $5,000,000;

(5) Where said total estimated construction cost is $10,000,000 or more, but less than $30,000,000, $25,926 plus one-and-one-quarter tenths of one percent of the cost over $10,000,000;

(6) Where said total estimated construction cost is $30,000,000 or more, but less than $50,000,000, $50,926 plus eight hundredths of one percent of the cost over $30,000,000;

(7) Where said total estimated construction cost is $50,000,000 or more, but less than $100,000,000, $66,926 plus five and one-half hundredths of one percent of the cost over $50,000,000;

(8) Where said total estimated construction cost is $100,000,000 or more, $94,426 plus one-and-one-half hundredths of one percent of the cost over $100,000,000.

Where an applicant requests both a conditional use authorization and coastal zone permit review, the amount of the conditional use fee shall be reduced by 50 percent.

(d) Exemption. Any fraternal, charitable, benevolent or any other nonprofit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the nonprofit purposes of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other nonprofit organization, shall be exempt from paying the fees specified in paragraphs (a) through (c) inclusive of this Section. Any fraternal, charitable, benevolent or any other non-profit organization, which organization is exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as a bona fide fraternal, charitable, benevolent or other non-profit organization, shall be exempt from paying the fees specified in paragraphs (a) through (c) inclusive of this Section; provided that the application is for the development of residential units all of which units are affordable to low and moderate households, as defined in the Guidelines of the United States Housing and Urban Development Department for a period of 20 years, which exemption shall apply notwithstanding the inclusion in the development of other non-profit ancillary or accessory uses.

(e) Refunds. When an application is (1) either withdrawn by the applicant, or deemed cancelled by the Department of City Planning due to inactivity on the part of the applicant, and (2) the Zoning Administrator determines that no substantial costs have been incurred by the Department in acting on the application, (for example, little time has been expended beyond initial scoping meetings), then the applicant shall be entitled to a refund of 75 percent of the fee paid to the Department.

SEC. 352. FEE FOR REVIEW OF BUILDING PERMIT APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of the review of building permit applications for compliance with the City Planning Code, fees shall be charged and collected by the Central Permit Bureau, upon application for a permit for a new building, or a permit to change the use or alter the exterior of an existing building, as indicated below, in conjunction with current and existing fee collections:

(a) Where the total estimated construction cost as defined by the San Francisco Building Code is $10,000 or less, the fee shall be $45;

(b) Where said total estimated construction cost is more than $10,000, but less than $2,000,000, the fee shall be $45 plus fifteen hundredths of one percent of the cost over $10,000;

(c) Where said total estimated construction cost is $2,000,000 or more, the fee shall be $3,030 plus eleven-hundredths of one percent of the cost over $2,000,000;

In addition to the fees set forth above, there shall be the following additional fees, to be collected by the Central Permit Bureau, upon identification by the Department of City Planning:

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(d) Where the building permit is for property within the C-3 (Downtown Commercial) District, an additional fee of $200 to cover costs of providing the notices required under Section 309(c) and (d) of this Code;

(e) Where the building permit involves new construction exceeding 40 feet in height as defined under this Code or an alteration to an existing building which changes any exterior dimensions of the building at an elevation exceeding 40 feet in height, an additional fee of $200 to cover costs to the Department of City Planning to determine if the project will cast any new shadows upon property pursuant to Section 295 of this Code.

SEC. 353. FEE FOR BUILDING DEMOLITION APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of review of building permit applications for demolition, the fee shall be $100, to be collected by the Central Permit Bureau, at time of application.

SEC. 354. FEE FOR SIGN APPLICATIONS. In order to compensate the Department of City Planning for a part of the cost of the review of sign applications, the fee shall be $50, to be collected by the Central Permit Bureau, at time of application.

SEC. 355. FEE FOR REVIEW OF PERMIT APPLICATIONS ISSUED BY THE FIRE DEPARTMENT, THE POLICE DEPARTMENT AND THE DEPARTMENT OF PUBLIC HEALTH. In order to compensate the Department of City Planning for a part of the cost of the review of permit applications under the jurisdiction of the Fire Department, the Police Department and the Department of Public Health, a fee of $40 shall be charged and collected by the other Departments in conjunction with current and existing fee collections.

SEC. 356. FEE FOR FILING OF INSTITUTIONAL MASTER PLANS. In order to compensate the Department of City Planning for the cost of reviewing ((and maintaining records on)) institutional master plans pursuant to Section 304.5 of this Code, the Department shall charge and collect a fee as follows:

(a) Where a full institutional master plan or substantial revision to such a plan is filed, the fee shall be $1,000 to be collected prior to the Department's accepting the plan;

(b) Where an abbreviated institutional master plan is filed, the fee shall be $300 to be collected prior to the Department's accepting the plan; when a Planning Commission public hearing is deemed necessary, an additional fee of $300 shall be collected prior to the Department's providing notice of the hearing.

SEC. 357. FEE FOR REVIEWING NOTICES OF SPECIAL RESTRICTIONS. The Zoning Administrator shall maintain a list of those provisions of this Code containing a requirement that a notice of restrictions be recorded in the office of the County Recorder and any applicant seeking approval of the form of such notice shall be charged a fee of $50.

SEC. 358. FEE FOR CITY PLANNING COMMISSION REVIEW OF PROJECTS WITHIN THE C-3 (DOWNTOWN COMMERCIAL) DISTRICT. In order to compensate the Department of City Planning for the cost of reviewing projects within the C-3 (Downtown Commercial) District, pursuant to Section 309 of this Code, the Department shall charge and collect the following fees:

(a) A fee based on the fee schedule in Section 351(c) above to cover costs for determination of whether additional modifications are necessary as authorized in Section 309 of this Code;

(b) For an application for an exception, as authorized in Section 309(a) of this Code, a fee equal to 1/2 the fee as set forth in Section 351(c) shall be charged and collected by the Department of City Planning prior to accepting said application.

SEC. 359. FEE FOR REVIEWING PROJECTS SUBJECT TO OFFICE DEVELOPMENT LIMITS. In order to compensate the Department of City Planning for the cost of reviewing projects pursuant to Sections 320 through 323 of this Code, the Department shall charge and collect, at the time of application for project authorization, $15,000 per application. This fee shall be due and payable with respect to those projects which are eligible for consideration and participate in the first review period upon the effective date of the ordinance establishing the fee. No department or agency of the City and County of San Francisco shall permit the issuance or approval of any permit for a project considered in the first review period until this fee has been paid. If a project which is eligible for consideration in the first review is withdrawn from consideration in that period and has paid the fee required by this Section, the project applicant shall not be charged a fee for consideration in a later review period; provided, however, that the fee shall be charged to such a project applicant prior to a review in a later review period if the project has, within the determination of the Director of Planning, been substantially altered.

SEC. 360. FEE FOR MONITORING PROJECTS.

Fees under this Section shall be collected as follows:

In order to compensate the Department of City Planning for the cost of monitoring authorized projects under Sections 149, 163, 164, 165 and 321 of this Code, the Department shall charge $5,000 per project, to be collected by the Central Permit

Bureau at the time the Building Permit is issued.

SEC. 361. FEE FOR REVIEWING REQUESTS RELATING TO TDR AND ARTICLE 11 DESIGNATED BUILDING. Fees under this Section shall be collected as follows:

(a) For each application for designation or change of designation of a Significant or Contributory Building, the fee shall be $500.

(b) For each application for designation or change of boundary of a Conservation District, the fee shall be $500.

(c) An application for a permit for alteration of a Significant or Contributory Building or building within a designated Conservation District which the Zoning Administrator has deemed minor as provided in Section 1111 or 1111.1 shall have no fee in addition to other fees which may be applicable.

(d) An application for a permit for alteration not deemed minor, as described in Subsection (c) above, shall be $100. This fee shall be in addition to any fee otherwise required for permits to alter or demolish; provided, however, that if the permit is for alteration of a Contributory Building located outside a Conservation District from which no TDR have been transferred, and the applicant elects to proceed without issuance of a permit pursuant to Sections 1111 through 1111.6, the fee shall be $25.

(e) An application for a permit to demolish a Significant or Contributory Building shall be $500. This fee shall be in addition to any fee otherwise required for permits to alter or demolish. However, no fee in addition to that otherwise required for a demolition permit shall be charged for an application to demolish a Contributory Building located outside a Conservation District from which no TDR have been transferred

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or a Category V Building in a Conservation District from which no TDR have been transferred.

(f) For each application for a Statement of Eligibility the fee shall be $500, for execution of a Certificate of Transfer the fee shall be $250, and for Certification of Transfer of TDR the fee shall be $500.

(g) For each permit application for a determination that a building is a compatible rehabilitation or a compatible replacement building, pursuant to Sections 309 and 1109, the fee shall be the same as an application for a conditional use permit.

Exemption. Any organization exempt from federal income taxes under Internal Revenue Code Section 501(c)(3) shall be exempt from paying the fees specified in this section.

SEC. 362. FILING FEES AND PROVISION FOR EXCEPTION. Before accepting for filing any application for designation of a landmark, or for amendment or rescission of such designation, or for an application for a certificate of appropriateness under Article 10, the Department shall charge and collect the fees here specified:

(a) For each application for designation of a landmark, or the amendment or rescission or the designation of an historical district, the fee shall be $50.

(b) For each application for a certificate of appropriateness the fee shall be $200.

(c) Exemption. Any fraternal, charitable, benevolent or any other nonprofit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the nonprofit purposes of said organization, and which organization is exempt from taxation under the Internal Revenue laws of the United States as

a bona fide fraternal, charitable, benevolent or other nonprofit organization shall be exempt from paying the fee specified in Subsection (a) above.

SEC. 363. FEE FOR REVIEW OF PROJECTS UNDER DISCRETIONARY REVIEW. Any person who requests that the Department of City Planning schedule before the City Planning Commission a hearing to consider a permit pursuant to Section 26 of Part III of the San Francisco Municipal Code shall, prior to the Department's providing notice of such hearing, pay a fee of $50.

SEC. 364. OPERATIVE DATE. Article 3.5 shall become operative January 1, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Bazarian
Deputy City Attorney

0195j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1991	May 6, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward
Noes: Supervisors Hsieh Maher	Absent: Supervisors Britt Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Baker
ACTING Clerk

File No.
115-91-1

MAY 1 0 1991
Date Approved

Mayor

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5/1/91 - As amended in Committee

FILE NO. 101-90-94

ORDINANCE NO. 177-91

RO #90250 SA #144

(Government Funding)

APPROPRIATING $74,576,242, FOR CAPITAL IMPROVEMENT PROJECT (OCEANSIDE WATER POLLUTION CONTROL PLANT), RESCINDING ~~$54,144,008~~ $54,743,128 FROM 1988 SEWER REVENUE BOND, PUBLIC WORKS - CLEANWATER PROGRAM FOR FISCAL YEAR 1990-91; PLACING $600,000 ON RESERVE.

5/1/91 jll

5/1/91 jll

5/1/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-555	State Revolving Loan Fund		
90-05-00	Cleanwater Program		
Project 101-00	Oceanside Water Pollution Control Plant		
55-5503 (008995)	Proceeds - Long Term Obligation	$ 74,576,242	
20-2030 (544064)	Capital Improvement Project		$ 74,576,242
35-896	1988 Sewer Revenue Bond Fund - Series A		
90-05-00	Cleanwater Program		
Project 896-00	Sewer Revenue Bond - General		
G.L.495 (0087755)	Year End Surplus		$ 12,901,619
20-2030 (770602)	Capital Improvement Project	$ 12,901,619	
35-897	1988 Sewer Revenue Bond Fund - Series B		
90-05-00	Cleanwater Program		
Project 897-00	1988 Sewer Revenue Bond - General		
G.L. 495 (008763)	Year End Surplus		$ 41,242,389
20-2030 (770610)	Capital Improvement Project	$ 41,242,389	

5/1/91 jll Section 2. Funds in the amount of $600,000 for the Westside Pump Station are hereby placed on reserve pending departmental selection of the construction contractor, a contract budget, and the firm's MBE/WBE/LBE status to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 6, 1991	May 13, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward
Absent: Supervisors Ward	Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Burke
ACTING Clerk

File No. 101-90-94

MAY 14 1991
Date Approved

Mayor

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MAY 22 1991

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File No. 36-91-1 Ordinance No. 178-91

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 2900 FULTON STREET AND 2908-14 FULTON STREET, LOTS 17 AND 19, ASSESSOR'S BLOCK 1648 FROM AN RM-3 (MIXED RESIDENTIAL-MEDIUM DENSITY) DISTRICT TO AN NC-1 (NEIGHBORHOOD COMMERCIAL CLUSTER) DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at the point of intersection of the northerly line of Fulton Street and the westerly line of Fifth Avenue; running thence northerly along said line of Fifth Avenue 75 feet; thence at a right angle westerly 82.50 feet; thence at a right angle southerly 83.469 feet to the northerly line of Fulton Street; thence easterly along said line of Fulton Street 82.93 feet to the point of beginning; being all of Lots 17 and 19 in Assessor's Blocks 1648; and adjacent street areas to their centerline.	RM-3	NC-1

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 13024 approving

////

findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By M. R. Eakin
for Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 6, 1991	§	May 13, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward
	§	
	§	Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Maybeth Bulos
ACTING Clerk

File No.
36-91-1

MAY 15 1991
Date Approved

Mayor

(Ellis-O'Farrell Public Parking Garage 1991 Lease)

APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ELLIS-O'FARRELL PUBLIC PARKING GARAGE 1991 LEASE, APPROVING THE ISSUANCE OF THE CITY OF SAN FRANCISCO ELLIS-O'FARRELL PARKING CORPORATION BONDS, SERIES 1991; AND AUTHORIZING AND RATIFYING THE EXECUTION AND DELIVERY OF DOCUMENTS REASONABLY NECESSARY FOR THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS, ALL IN CONNECTION WITH THE FINANCING OF SEISMIC RETROFIT IMPROVEMENTS AND THE EXPANSION OF THE ELLIS-O'FARRELL PARKING GARAGE.

WHEREAS, The City and County of San Francisco (the "City") has a need for and desires to enter into an Ellis-O'Farrell Public Parking Garage lease (the "1991 Lease") with the City of San Francisco Ellis-O'Farrell Parking Corporation (the "Corporation") for the purpose of financing seismic retrofit improvements and the expansion of the Ellis-O'Farrell Public Parking Garage (the "Improvements") through the issuance by the Corporation, acting for and on behalf of the City, of its Ellis-O'Farrell Parking Corporation Bonds, Series 1991 (the "Bonds"); and

WHEREAS, Concurrent with the execution and delivery of the 1991 Lease and issuance of the Bonds the Ellis-O'Farrell Public Parking Garage Lease, dated as of February 1, 1965, by and between the Corporation and the City will terminate;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. In accordance with the recommendation of the Parking and Traffic Commission of the City and County of San Francisco, the form of 1991 Lease presented to this Board of Supervisors, copies of which are on file with the Clerk of the Board of Supervisors, is hereby approved. The Mayor is hereby authorized to execute and deliver, and the Clerk is hereby directed to affix the seal of the City and to attest, the 1991 Lease in substantially the form hereby approved or with such changes as may be made pursuant to Section 2.

Section 2. The Mayor, upon consultation with the City Attorney, is hereby authorized to make any changes to the 1991 Lease that hereafter become necessary in the interests of the City, which changes do not materially affect the substance, or materially increase the obligations, of the City, including, without limitation, alteration of Exhibit A of said 1991 Lease to conform with any title insurance requirements, with approval of such changes to be conclusively evidenced by the execution of the 1991 Lease by the Mayor.

Section 3. The purposes and activities of the Corporation and the issuance of not to exceed $8,000,000 principal amount of the City of San Francisco Ellis-O'Farrell Parking Corporation Bonds, Series 1991 by the Corporation for the purpose of financing the Improvements are hereby approved.

Section 4. The City will accept title to the Ellis-O'Farrell Public Parking Garage, including the Improvements financed by the Bonds and including any other additions thereto, upon discharge of the Bonds.

Section 5. The Mayor, Chief Administrative Officer, Clerk of the Board of Supervisors, City Attorney, City Controller, Director of Public Works, Director of Property and all other officers of the City are each hereby authorized and directed to take any and all steps and to issue and deliver any and all certificates, requisitions, agreements, notices, consents, opinions and other documents, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Bonds.

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Section 6. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kenealey
Deputy City Attorney

RECOMMENDED:

PARKING AND TRAFFIC COMMISSION
OF THE CITY AND COUNTY OF
SAN FRANCISCO

By: Lina Cutler
Director, Parking and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 6, 1991	May 13, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward
Absent: Supervisor Ward	Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Sullivan
ACTING CLERK

File No.
47-91-6

MAY 15 1991
Date Approved

Mayor

FILE NO. 97-91-20 ORDINANCE NO. 180-91

(Human Rights Commission Advisory Committees)

AMENDING CHAPTER 12A OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 12A.6 THEREOF TO FIND THAT THE INCLUSION ON THE ADVISORY COUNCIL ON HUMAN RIGHTS AND ADVISORY COMMITTEES CREATED BY THE HUMAN RIGHTS COMMISSION OF OWNERS, OFFICERS, AND EMPLOYEES OF WOMEN, MINORITY AND LOCAL BUSINESS ENTERPRISES PROMOTES THE PURPOSE OF HUMAN RIGHTS ACTIVITIES AND TO FIND THAT SUCH OWNERS, OFFICERS, AND EMPLOYEES ARE TANTAMOUNT TO THE PUBLIC GENERALLY. ~~AND TO DELETE THE REQUIREMENT THAT MEMBERS OF THE LESBIAN/GAY ADVISORY COMMITTEE BE RESIDENTS OF SAN FRANCISCO.~~

kg 4/30

Note: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administration Code is hereby amended by amending Section 12A.6 thereof to read as follows:

SEC. 12A.6 ADVISORY COUNCIL: SPECIAL COMMITTEES.

(a) There shall be established a council to be known as the Advisory Council on Human Rights (hereinafter called "Council"), representative of the following interests or groups: employer, labor, racial, religious, ethnic, housing, appropriate governmental agencies, and such other as the Mayor shall deem advisable. The members of the Council shall be appointed by the Mayor to serve at his or her pleasure and shall not be subject to the residence requirements of the Charter. The Council shall advise the Commission and shall be authorized to mediate and conciliate, upon specific request by the Commission, and to perform such other functions as shall from time to time be deemed appropriate by the Commission.

Members of the council shall serve without compensation.

(b) The Commission may form such special committees within and without the Advisory Council as are necessary to assist the Commission in the solution of specific problems within the scope of its responsibilities. The members of such committees shall be appointed by the Mayor upon the recommendation of the Commission, and shall serve until released by the Mayor upon the recommendation of the Commission and shall be residents of the City and County of San Francisco.

Members of special committees shall serve without compensation.

(c) There shall be established a special committee of no fewer than three persons who are publicly identified with the lesbian/gay community or who have worked closely with such community. The members of the committee shall be appointed by the Commission and shall serve until released by the Commission.

kg 4/30 //(Members shall be residents of the City and County of San Francisco.)//

The committee shall address itself specifically to the identification and solution of problems associated with the lesbian/gay community, and shall file written reports thereon with the Commission.

Members of the committee shall serve without compensation and all meetings of the committee shall be public.

(d) <u>The Board of Supervisors declares that individuals appointed to the Advisory Council on Human Rights and Special Committees created pursuant to this section, and other advisory committees created to advise the Commission, are intended to represent and further the interests of Minority Business Enterprises, Women Business Enterprises and Local Business Enterprises, and that such representation and furtherance will</u>

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ultimately serve the public interest. Accordingly, the Board of Supervisors finds that for the purposes of persons who hold such office, the owners, officers, and employees of Minority Business Enterprises, Women Business Enterprises and Local Business Enterprises are tantamount to and constitute the public generally within the meaning of Section 87103 of the California Government Code.

APPROVED AS TO FORM:
LOUISE H. RENNE

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 6, 1991	May 13, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward
	Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
97-91-20

MAY 15 1991
Date Approved

Mayor

FILE NO. 101-90-91 ORDINANCE NO. 181-91

RO #90247 SA #152

(Government Funding)

APPROPRIATING $600,000 FOR REFUGEE AID, SOCIAL SERVICES FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
99-00-00	Non-Departmental		
99-9990 (160499)	Revenue Transfer in From #01-291 Welfare Assistance and Administration Fund; #45-00-00 Social Services	$ 600,000	
45-31-00	Refugee Resettlement		
15-1610 (647792)	Indo-Chinese Refugee Aid		$ 600,000
01-291	Welfare Assistance and Administration Fund		
63-6320 (041442)	Title XX - Federal Administration Fund	$ 600,000	
49-4900 (840041)	Revenue Transfer out to #01-001 General Fund; #99-00-00 General Fund Unallocated		$ 600,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

957-appadm/ch1/49

Board of Supervisors, San Francisco

Passed for Second Reading

May 6, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward

Absent: Supervisors Britt Hsieh Maher

Finally Passed

May 13, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward

Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
ACTING Clerk

File No.
101-90-91

MAY 15 1991
Date Approved

_____
Mayor

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FILE NO. 101-90-92

ORDINANCE NO. 182-91

RO #90248 SA #153

(Government Funding)

APPROPRIATING $700,000 FOR ADOPTION AID, SOCIAL SERVICES FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
63-6307 (040824)	Aid for Adoption of Children	$ 700,000	
45-08-00	Social Services - Family In Home Services		
15-1550 (647776)	Adoption Aid		$ 700,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas J. Owen
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appropdn/ch1/48

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 6, 1991	May 13, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward
Absent: Supervisor Ward	Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Ann Burke
ACTING CLERK

File No. 101-90-92

MAY 15 1991
Date Approved

Mayor

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MAY 28 1991

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Finance

5/1/91 - As amended in Committee

FILE NO. 101-90-93

ORDINANCE NO. 183-91

RO #90249 SA #143

(Government Funding)

APPROPRIATING $6,100,000 FOR CAPITAL IMPROVEMENT PROJECT (ISLAIS CREEK TRANSPORT), PUBLIC WORKS - CLEANWATER PROGRAM FOR FISCAL YEAR 1990-91, PLACING $5,539,000 ON RESERVE.

5/1/91 jll

5/1/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-896	1988 Sewer Revenue Bond Fund		
Project 896-00	Sewer Revenue Bond - General		
G.L.495 (008755)	Year End Surplus	$ 6,100,000	
90-05-00	Cleanwater Program		
Project 896-00	Sewer Revenue Bond - General		
20-2030 (770602)	Capital Improvement Project		$ 6,100,000

5/1/91 jll

Section 2. Funds in the amount of $5,539,000 for construction services are hereby placed on reserve pending departmental submission of the identity of firms to be used and their MBE/WBE status, to be released by the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Edward Harrington
CONTROLLER

957-appadm/ch1/58

Board of Supervisors, San Francisco

Passed for Second Reading

May 6, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Ward

Finally Passed

May 13, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward

Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Marlena Byrne
ACTING Clerk

File No. 101-90-93

MAY 1 5 1991
Date Approved

Mayor

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MAY 2 8 1991

SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 114-91-4 ORDINANCE NO. 184-91

[BBI FEE SCHEDULE]

AMENDING PART II, CHAPTER 1, OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTIONS 330.1, 330.2, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2, and 333.3 TO INCREASE BUREAU OF BUILDING INSPECTION FEES:

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by amending Sections 330.1, 330.2, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2 and 333.3 thereof to read as follows:

Building Permit Fees

Sec. 330.1.

NEW CONSTRUCTION PERMIT FEE SCHEDULE

Total Valuation	Fee
$1.00 to $500.00	((($17.00)) $19.50
$501.00 to $2,000.00	((($17.00)) $19.50 for the first $500.00 plus ((($2.50)) $2.75 for each additional $100.00 or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	((($54.50)) $62.75 for the first $2,000.00 plus ((($10.25)) $11.75 for each additional $1,000.00 or fraction thereof, to and including $25,000.00.
$25,001.00 to $50,000.00	((($290.25)) $333.75 for the first $25,000.00 plus ((($7.25)) $8.25 for each additional $1,000.00 or fraction thereof, to and including $50,000.00
$100,001.00 to $500,000.00	((($721.50)) $829.75 for the first $100,000.00 plus ((($4.00)) $4.75 for each additional $1,000.00 or fraction thereof to and including $500,000.00
$500,001.00 to $1,000,000.00	((($2,321.50)) $2,729.75 for the first $500,000.00 plus ((($3.50)) $4.00 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	((($4,071.50)) $4,729.75 for the first $1,000,000.00 plus ((($2.50)) $ 3.00 for each additional $1,000.00 or fraction thereof.

ALTERATION PERMIT FEE SCHEDULE

Total Valuation	Fee
$0 to $100,000	1.3 times NEW CONSTRUCTION PERMIT FEE
$100,001 and up	((($938.00)) $1,078.75 plus 1.25 times the NEW CONSTRUCTION PERMIT FEE for values greater than $100,000

SIGN PERMIT FEE SCHEDULE

MINIMUM SIGN PERMIT FEE ..... ((($18.75)) $21.50

Type of Sign	Area Limits	Fee
Electric and Non-electric	Up to 50 sq. ft	((($18.75)) $21.50
	51 to 100 sq. ft	((($18.75)) $21.50 plus ((($2.25)) $ 2.50 per additional 10 square feet or fraction thereof over 50 sq. ft.
	101 to 200 sq. ft	((($30.00)) $34.50 plus ((($2.75)) $ 3.25 per

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additional 20 square feet or fraction thereof over 100 square feet

201 to 400 sq. ft . . . . . ((($43.75)) $50.75 plus ((($ 3.25)) $ 3.75 per additional 50 square feet or fraction thereof over 200 square feet

Over 400 sq. ft . . . . . ((($56.75)) $65.25

Ground Sign Up to 100 sq. ft . . . . . ((($18.75)) $21.50

101 to 600 sq. ft . . . . . ((($18.75)) $21.50 plus ((($ 2.75)) $ 3.25 per additional 20 square feet or fraction thereof over 100 square feet

Over 600 sq. ft . . . . . ((($87.50)) $102.75

Standardized Signs: 50% of the applicable fee above, but not less than the minimum fee.

BLEACHERS PERMIT FEE SCHEDULE

Permanent Bleachers: see NEW CONSTRUCTION FEE SCHEDULE

Temporary Bleachers: 0 - 1,000 seats or fraction thereof:

((($18.00)) $20.75 each additional 1,000 seats or fraction thereof: ((($9.00)) $10.25

CHIMNEY AND FLUE PERMITS

Each chimney or flue: ((($12.50)) $14.50

DEMOLITION PERMIT FEE SCHEDULE

Construction Type II-1 Hr., II-N, or V: ((($24.75)) $28.50 per 25 foot section or fraction thereof, per each story

All other Construction Types: ((($37.25)) $42.75 per 25 foot section or fraction thereof, per each story

If no frontage or more than 1, use shortest side of building for determination.

EXTRA PERMIT WORK:

2 times the standard fees for work remaining to be done or not covered in original permit scope

GARAGE DOOR PERMITS:

Each garage door in an existing building:((($9.00)) $10.25

GRADING PERMITS

See New Construction Permit Schedule

HOUSE MOVING INVESTIGATION AND PERMIT FEE

Investigation: ((($47.25)) $54.25 Permit: ((($54.50)) $62.75

RECOMMENCEMENT OF WORK NOT COMPLETED:

STANDARD INSPECTION FEE per Section 332.2.

See also Section 331 - COMMENCEMENT OF WORK NOT STARTED.

((RECORDATION CHARGES:

Hotels and Motels. all buildings greater than 3 stories, all occupancies other than Group R: 0.00018 times the valuation

Minimum Fee: $1.25))

RE-ROOFING PERMITS:((($56.75)) $65.25

STRONG MOTION INSTRUMENTATION FEE:

Group R Occupancies of 3 stories or less, except hotels and motels: ((0.0001)) 0.00013 times the valuation

Hotels and Motels. all buildings greater than 3 stories. all occupancies other than Group R: 0.00024 times the valuation

MINIMUM FEE: $1.50

SUB-SIDEWALK CONSTRUCTION AND USE PERMIT FEE

Construction: See New Construction Permit Fee Schedule

Use Permit, each separate street frontage:((($22.50)) $26.00

Street Space Deposit:((($34.25)) $39.50 per frontage foot

Electrical Permit Fee Schedule.

Sec. 330.2

SCHEDULE A

NEW BUILDING: or Major Remodel (Requiring New Main Service)

Filing Fee	(($22.50))	$26.00
Service Fees: 0 - 100 amps	((56.75))	$65.25
@ additional amp over 100 amps	((0.10))	$ 0.15
Circuit Fees: 0 - 30 amp circuits		
@ circuit up to & including 50	((11.50))	$13.25
@ circuit over 50	((5.75))	$ 6.50
31- 60 amp circuits, @ circuit	((13.75))	$15.75
61-100 amp circuits, @ circuit	((18.00))	$20.75
greater than 100 amp circuits	((18.00))	$20.75

@ circuit, plus(($4.50)) $5.25 @ 100 additional 100 amps per circuit

Temporary Wiring: one-half the above

EXISTING BUILDING: (Not Requiring New Main Service)

Miscellaneous remodeling, alterations, etc. - Fees will be based on the number of openings* within the ranges listed in the table below:

Filing Fee	(($22.50))	$ 26.00
Fee Per Number of Openings:		
1 - 5	(($19.75))	$ 22.75
6 - 10	((39.50))	$ 45.50
11 - 15	((49.50))	$ 57.00
16 - 20	((69.25))	$ 79.75
21 - 25	((78.75))	$ 90.50
26 - 30	((89.25))	$102.75
31 - 35	((98.75))	$113.50
36 - 40	((108.25))	$124.50
41 - 45	((118.75))	$136.50
46 - 50	((128.00))	$147.25
51 - 60	((138.00))	$158.75
61 - 70	((148.00))	$170.25
71 - 80	((158.50))	$182.25
81 - 90	((168.00))	$193.25

91 - 100	((177.50))	$204.25
@ opening greater than 100	((1.25))	$ 1.50

* NOTE: Openings include: switches, convenience receptacles, lighting fixtures, fixed appliances, motors, transformers, fire warning and detector devices. Multi-outlet assemblies including light track shall be calculated at one opening per 5 feet of assembly.

In no case shall the total fees for work performed under the Existing Building Fee Schedule exceed the fees if the same work was performed under the New Building Fee Schedule.

No fees shall be charged for existing circuits reconnected on rewire or additions unless such circuit is altered or extended.

SCHEDULE B

(1)	Filing Fee (in addition to unit charges 1 thru 22)	(($22.50))	$26.00
(2)	Minimum Fee of any bill of fees, including temporary work	((22.50))	$26.00
(3)	For each outlet, switch, convenience outlet receptacle	((0.80))	$ 1.00
(4)	For each service not over 100 amperes, by switch size	((11.25))	$13.00
	For each service over 100 amperes, for each additional ampere	((0.05))	$ 0.10
(5)	For each circuit	((1.75))	$ 2.00
(6)	For each transformer dimmer, each 1 KVA or fraction thereof	((0.80))	$ 1.00
(7)	For the connection of each motor (including control equipment), generator or other motor-operated equipment; rate per horsepower or fraction thereof, including temporary work:		
	0 - 10 hp	((1.75))	$ 2.00
	11 - 50 hp	((2.00))	$ 2.25
	51 - 100 hp	((2.25))	$ 2.50
	For @ additional hp over 100 hp.	((2.50))	$ 3.00
(8)	For the connection of an electric appliance including range, oven, hot plate, dryer, and similar equipment per kilowatt or fraction thereof rated values.	((1.75))	$ 2.00

Minimum fee for the provision of a range outlet whether connected

to or not shall be . . . . . ((16.75)) $19.25

Minimum fee for the provision of a dryer outlet . . . . . ((11.25)) $13.00

For each connection of fixed electrical air heating devices

per kilowatt or fraction thereof . . . . . ((0.80)) $ 1.00

(9) For each cold cathode or fluorescent lighting fixture complete

with lamps . . . . . ((1.25)) $ 1.50

(10) For each mercury vapor and similar lighting fixture complete

with one lamp . . . . . ((3.50)) $ 4.00

(11) For each incandescent lighting fixture complete . . . . . ((1.25)) $ 1.50

(Track lighting systems complete with fixtures shall be considered

as one lighting fixture for every 5 linear feet of track.)

(12) Activated electrical trench headers duct and electrical floor ducts,

per opening . . . . . ((0.45)) $ 0.50

(13) Feeders, up to and including 100 amperes based on switch size.((11.25)) $13.00

(14) Feeders, per ampere over 100 amperes . . . . . ((0.05)) $ 0.10

(15) Underground installation . . . . . ((28.50)) $32.75

(16) Fire alarms, pull station including outlet and testing . . . . . ((4.50)) $ 5.25

(17) Fire alarms, visual and audio devices including outlet . . . . . ((1.75)) $ 2.00

(18) Fire alarm and detector control panels and annunciators . . . ((5.75)) $ 6.75

(19) Fire sprinkler flow alarms . . . . . ((6.50)) $ 7.50

(20) Product of combustion detectors per unit including outlet . . . ((1.75)) $ 2.00

(21) Electromagnetic hold open . . . . . ((1.75)) $ 2.00

(22) Low Energy Circuit.

For each low energy device, including audio, visual, signal,

annunciation, switching and electromechanical, exception, as

provided in items 18 through 21 . . . . . ((0.60)) $ 0.75

For each transformer for such systems,each KVA or fraction

thereof . . . . . ((1.00)) $ 1.25

Where such systems are installed in raceway, the fee for each

outlet in addition to the fee for the device shall be . . . . . ((0.60)) $ 0.75

Electric Signs

(23) Exterior Signs, not over 20 incandescent lamps . . . . . Min ((18.00)) $20.75

Interior Signs . . . . . Min ((11.25)) $13.00

For each group of 10 lamps or portion thereof in excess of 20 ((2.50)) $ 3.00

For each interior or exterior sign circuit . . . . . ((2.50)) $ 3.00

For each transformer or ballast in excess of 2 . . . . . ((2.50)) $ 3.00

For each sign flasher or sign or outline control device . . . . ((3.50)) $ 4.00

For the purpose of outlet count a continuous row of fluorescent

fixtures fed by a single branch circuit shall be considered as

requiring one outlet.

PLANT OWNER REGISTRATION:

each plant registration: . . . . . ((($113.50)) $130.50

each plant electrician registered: . . . . . ((6.00)) $ 7.00

plant electrician registration, late charge: . . . . . ((6.00)) $ 7.00

Plumbing Permit Fees Schedule

Sec. 330.3.

For Plumbing permit issuance . . . . . ((($13.75)) $15.75

For each plumbing fixture & waste discharging device . . . . . ((11.75)) $13.50

For each sump ejector . . . . . ((11.75)) $13.50

For each rainwater leader (all kinds) . . . . . ((11.75)) $13.50

For gas permit issuance . . . . . ((13.75)) $15.75

For each gas line, including 1 outlet per line . . . . . ((5.75)) $ 6.75

For each additional gas outlet . . . . . ((2.50)) $ 3.00

For each water heater . . . . . ((10.25)) $11.75

For each warm air furnace . . . . . ((35.25)) $40.50

For each miscellaneous gas appliance . . . . . ((10.25)) $11.75

For each gas flue (see Section 330.1 Chimney & Flue Permits) . . ((12.50)) $14.50

For water line permit issuance, including 1 to 4 outlets per line . . ((13.75)) $15.75

For each additional water outlet (over 4) . . . . . ((2.50)) $ 3.00

For solar panels (per each collector) . . . . . $ 7.25

For lawn sprinklers:

For each control valve or vacuum breaker . . . . . ((8.50)) $ 9.75

For each sprinkler head . . . . . ((0.15)) $ 0.20

((For solar panels, (per each collector) . . . . . 6.25))

For Fire Sprinkler Systems:

For fire sprinkler piping removal or alteration or the replacement of valves, attachments or levers . . . . . ((10.75)) $12.25

For underground fire sprinkler piping system:

When permit fee has not been obtained for complete fire sprinkler system . . . . . ((35.25)) $40.50

For replacing of fire sprinkler heads (except fused or broken heads):

From 1 to 10 heads . . . . . ((10.75)) $12.25

For each additional head over 10 . . . . . ((0.25)) $ 0.30

For fire sprinkler piping installation:

From 1 to 10 heads . . . . . ((10.75)) $12.25

From 11 to 500 heads: . . . . . ((10.75)) $12.25 plus (($ 0.30)) $0.35 per additional head over 10

For 501 & over heads . . . . . ((159.50)) $183.50 plus (($0.15)) $0.20 per additional head over 500

For flushing of fire sprinkler systems subsequent to final inspection (reinspection) . . . . . ((45.25)) $52.00

The fee for converting a system from upright heads to pendant heads or from pendant heads to upright heads shall be as set forth for a new installation.

For each building, sewer, replacement, repair or sewer trap . . . . ((13.75)) $15.75

For side sewer installation or repair including inspection of

connection to main sewer . . . . . ((35.25)) $40.50

MINIMUM FEE FOR ALL PERMITS . . . . . ((13.75)) $15.75

Building Permit Application and Plan Review Fees

Sec. 331.

BACK CHECK FEE:

(($47.25)) $54.25 per hour or fraction thereof

COMMENCEMENT OF WORK NOT STARTED:

Building, Plumbing, or Electrical Permit Fee: 50% of current fee

Plan Review Fee: 50% of current fee, maximum (($113.50)) $130.50

ELECTRICAL PLAN REVIEW:

(($60.00)) $69.00 per hour or fraction thereof

EXPEDITER FEE:

(($21.50)) $24.75

EXPRESS PLAN REVIEW SURCHARGE:

50% of plan review fee

MECHANICAL PLAN REVIEW:

(($60.00)) $69.00 per hour or fraction thereof

PLAN REVIEW FEES for New Construction, Alterations, Grading,and Demolitions:

65% of New Construction Permit Fee Schedule

PLAN REVIEW UNDER PRIOR CODE:(($71.50)) $82.25

PRE-APPLICATION PLAN REVIEW:

Minimum Fee (first 2 hours or fraction thereof):(($113.50)) $130.50

Each participating Bureau employee hour or fraction thereof after the first 2 hours:(($60.00)) $69.00

REDUCED PLAN REVIEW FEE:

25% of the PLAN REVIEW FEE, minimum (($17.00)) $19.50

SIGN PLAN REVIEW:

50% of SIGN PERMIT SCHEDULE

Exceptions/Waivers: no fee for electrical signs less than 10 square feet or non-electrical

signs less than 25 square feet.

Approved, standardized signs on file with Superintendent:((($7.00)) $8.00 each

SITE PERMIT SURCHARGE:

Valuation of $350,000.00 or less and only one addendum: ((($113.50)) $130.50

Valuation of more than $350,000.00 or more than one addendum: . . . . . ((($677.50)) $779.25

Public Notification and Record Keeping Fees

Sec. 332.

STRUCTURAL ADDITION NOTICE: . . . . . ((($13.75)) $15.75

AFFIDAVIT RECORD MAINTENANCE: . . . . . ((($ 5.75)) $ 6.75

POSTING OF NOTICES (CHANGE OF USE): . . . . . ((($20.25)) $23.25

REQUESTED NOTICE OF PERMIT ISSUANCE: . . . ((($28.50)) $32.75 each address

30" X 30" sign: . . . . . ((($11.25)) $13.00

DEMOLITION:

NOTICE OF APPLICATION AND PERMIT ISSUANCE BY AREA/INTERESTED PARTIES:

1 Area . . . . . ((($ 34.25)) $39.50 per annum

Multiple areas . . . . . ((($102.25)) $117.50 per annum

NOTICE:

300 ft. notification letters at filing: . . . . . ((($54.50)) $62.75

Residential tenants notification: . . . . . ((($30.50)) $35.00

300 ft. notification letters at issuance: . . . . . ((($40.50)) $46.50

Reproduction and Dissemination of Public Information

Sec. 332.1.

CERTIFICATION OF COPIES:

1-10 pages:((($5.75)) $6.75

each additional 10 pages or fraction thereof: . . . . . ((($1.25)) $1.50

ELECTROSTATIC REPRODUCTION:

Each page photocopy . . . . . ((($0.60)) $0.75

Minimum charge - photocopy . . . . . ((3.00)) $3.50

35mm duplicards from roll film . . . . . ((1.25)) $1.50

Microfilm Hard Copy Prints

8-1/2" x 11" copy from 16mm roll film . . . . . ((1.25)) $1.50

24" x 18" copy from 35mm roll film . . . . . ((2.25) $2.50

"Half sized" copy from 35mm roll film . . . . . ((1.50)) $3.00

8-1/2" x 11" copy from 16mm frame in aperture card or microfiche jacket . . . . . ((0.75)) $1.00

Minimum Microfilm Reproduction Charge: . . . . . ((($3.00)) $3.50

REPLACEMENT OF APPROVED PLANS/SPECIFICATIONS:

each sheet of plans: . . . . . ((($3.50)) $4.00

each 50 pages of specifications or fraction thereof: . . ((($5.75)) $6.75

Inspections, Surveys, and Reports

Sec. 332.2.

OFF-HOURS INSPECTION: 1.5 times STANDARD INSPECTION FEE, 2 hour minimum.

PRE-APPLICATION INSPECTION: TWO TIMES THE STANDARD INSPECTION FEE

RE-INSPECTION FEE: STANDARD INSPECTION FEE.

REPORT OF RESIDENTIAL RECORDS: ((($22.50)) $26.00

STANDARD INSPECTION FEE: ((($56.75)) $65.25 per hour or fraction thereof

SURVEY OF NON-RESIDENTIAL BUILDING:

Minimum fee is 2 times the standard inspection fee for the first hour or fraction thereof per inspector. The standard inspection fee is charged per hour or fraction thereof after the first 2 hours, not to exceed ((($2257.50)) $2,596.00

SURVEY OF RESIDENTIAL BUILDING:

Single Family Dwelling . . . . . ((($ 339.25)) $ 390.25

Two Family Dwelling . . . . . ((($ 339.25)) $ 390.25

Apartment Houses

3 Units . . . . . ((($ 394.75) $ 454.00

4 to 10 . . . . . ((\$ 394.75)) \$ 454.00 plus ((\$49.50)) \$57.50 per unit over 3

11 to 20 units ((\$ 742.50)) . . . . . \$ 854.00 plus ((\$37.50)) \$43.25 per unit over 10

21 to 40 units ((\$1115.00)) . . . . . \$1,282.25 plus ((\$24.75)) \$28.50 per unit over 20

41 or more units . . . . . ((\$1,611.75)\$1,853.50 plus ((\$12.25)) \$14.00 per unit over 40

Hotels

Incl. 10 guestrooms . . . . . ((\$ 429.50)) \$ 494.00

11 to 20 guestrooms . . . . . ((\$ 429.50)) \$ 494.00 plus ((\$18.00)) \$20.75 per guestroom over 10

21 to 40 guestrooms . . . . . ((\$ 610.00)) \$ 701.50 plus ((\$12.50)) \$14.50 per guestroom over 20

41 or more guestrooms . . . . . ((\$ 858.00)) \$ 986.75 plus ((\$ 6.75)) \$ 7.75 per guestroom over 40

TEMPORARY CERTIFICATE OF OCCUPANCY: STANDARD INSPECTION FEE

Penalties, Hearings, Code Enforcement Assessments

Sec. 332.3.

ABATEMENT APPEALS BOARD HEARING, FILING FEE: ((\$45.25)) \$52.00 per case

BOARD OF EXAMINERS FILING FEES:

Each appeal for variance and interpretation from Code Requirements: ((\$78.75)) \$90.50

Each appeal for approval of substitute materials or methods of construction:(\$197.50)) \$227.25

DIRECTOR'S ABATEMENT ORDERS: ((\$46.25)) \$53.25 per hour or fraction thereof

EMERGENCY ORDER: ((\$37.25)) \$42.75 per hour or fraction thereof

EXCEEDING THE SCOPE OF THE APPROVED PERMIT:

2 times the permit fee

HANDICAPPED ACCESS APPEALS BOARD FILING FEE:

((\$125.00)) \$143.75 per case

LIEN RECORDATION CHARGES:

((\$105.00)) \$120.75 or 10 percent of the amount of the unpaid balance, including interest, whichever is greater

WORK WITHOUT PERMIT: INVESTIGATION FEE; PENALTY:

Building Code Violations:

9 times the applicable fee plus the original permit fee;

Electrical, Plumbing or Mechanical Code Violations:

9 times the applicable fee plus the original permit fee.

Refunds

Sec. 332.4. Partial or complete refunds of only those fees contained herein will be given provided the applicant meets the refund requirements of the applicable code section. No other fees are refundable, except as follows:

BUILDING PERMIT:	Amount paid less ((\$73.50)) \$84.50
DEMOLITION PERMIT:	Amount paid less ((\$56.75)) \$65.25
ELECTRICAL PERMIT:	Amount paid less ((\$56.75)) \$65.25
GRADING PERMIT:	Amount paid less ((\$56.75)) \$65.25
PLAN REVIEW:	Amount determined by Superintendent less ((\$22.50)) \$26.00
PLUMBING PERMIT:	Amount paid less ((\$56.75)) \$65.25

If the Superintendent determines that an error has been made in the assessment of fees, a refund for the portion determined to be in error may be made upon written request by the applicant.

Miscellaneous

Sec. 332.5.

BUILDING NUMBERS (each entrance): . . . . . ((\$ 13.75)) \$15.75

DISABILITY ACCESS COORDINATOR: . . . . . ((\$ 8.50)) \$ 9.75

EXTENSION OF TIME: APPLICATION CANCELLATION AND PERMIT EXPIRATION

Each application extension: . . . . . ((\$ 27.25)) \$ 31.25

Each permit extension: STANDARD INSPECTION FEE

Each inspection performed during extension period: STANDARD INSPECTION FEE

PRODUCT APPROVALS:

General Approval - initial or reinstatement . . . . . ((\$113.50)) \$130.50

General Approval - modification or revision . . . . . ((($ 39.50)) $ 45.50

General Approval - renewal (every 2 years) . . . . . ((($ 56.75)) $ 65.25

Apartment House and Hotel License Fee Schedule

Sec. 333.1.

APARTMENT HOUSE LICENSE FEE SCHEDULE:

Apartment Houses of less than 20 rooms, ... ((($ 92.50)) $106.50 per annum

Apartment Houses of 20 to 29 rooms, ... ((($117.50)) $135.25 per annum

Apartment Houses of 30 to 39 rooms, ... ((($155.50)) $179.00 per annum

Apartment Houses of 40 to 49 rooms, ... ((($205.75)) $236.50 per annum

Apartment Houses of 50 to 59 rooms, ... ((($285.50)) $327.75 per annum

Apartment Houses of 60 rooms or over, ... ((($335.00)) $385.25 per annum

Change of Ownership: . . . . . ((($28.25)) $32.50

HOTEL LICENSE FEE SCHEDULE:

Hotels of less than 20 rooms, ... ((($141.75)) $163.00 per annum

Hotels of 20 to 29 rooms, ... ((($167.00)) $192.00 per annum

Hotels of 30 to 39 rooms, ... ((($206.00)) $237.00 per annum

Hotels of 40 to 49 rooms, ... ((($254.00)) $292.00 per annum

Hotels of 50 to 59 rooms, ... ((($333.00)) $383.00 per annum

Hotels of 60 to 99 rooms, ... ((($384.25)) $442.00 per annum

Hotels of 100 to 149 rooms, ... ((($414.75)) $477.00 per annum

Hotels of 150 rooms or over, ... ((($466.25)) $536.25 per annum

Change of Ownership: . . . . . ((($28.25)) $32.50

Hotel Conversion Ordinance Fee Schedule

Sec. 333.2.

Annual Unit Usage Report: . . . . . ((($ 45.25)) $ 52.00

Appeal of initial or annual status determination:

Standard inspection fee pursuant to Building Code Section 332.2 shall apply for Bureau of Building Inspection Inspector's work on such request plus fees for Hearing Officer Challenge to claims of exemption:

Usage Report: . . . . . ((($ 14.75)) $ 17.00

Claim of exemption based on low-income housing: . . . . . ((($178.50)) $205.25

Claim of exemption based on partially completed conversion: ((($357.00)) $410.50

Complaint of unlawful conversion: . . . . . ((($ 14.75)) $ 17.00

Determination by Department of Real Estate and cost of independent appraisals: . . . . . ((($846.25)) $973.25

Initial Unit Usage Report: . . . . . ((($178.50)) $205.25

Permit to convert: . . . . . ((($300.00)) $345.00

Request for Hearing to Exceed 25% tourist season rental limit: Standard inspection fee pursuant to Building Code Section 332.2 for Bureau of Building Inspection Inspector's work on such request plus fees for Hearing Officer Statement of exemption: . . . ((($178.50)) $205.25

Unsuccessful challenge: Usage Report: Standard inspection fee pursuant to Building Code Section 332.2 shall apply for Bureau of Building Inspection Inspector's work on such request plus fees for Hearing Officer.

Request for Winter Rental: Standard inspection fee pursuant to Building Code Section 332.2 for Bureau of Building Inspection Inspector's work on such request.

Energy Conservation Fee Schedule

Sec. 333.3.

	Initial Inspection		Compliance Inspection	
Single Family Dwellings and Two Family Dwellings	((($43.00))	$49.50	((($21.50))	$24.75
Apartment Houses and Residential Hotels				
up to 20 rooms	((($48.25))	$55.50	((($23.75))	$27.25
20 to 29 rooms	((($57.75))	$66.50	((($28.25))	$32.50
30 to 39 rooms	((($69.25))	$79.75	((($34.25))	$39.50
40 to 49 rooms	((($76.75))	$88.25	((($38.50))	$44.25
50 to 59 rooms	((($86.00))	$99.00	((($43.00))	$49.50

60 rooms or over	((($96.50))	$111.00	((($48.25))	$55.50
Energy Reports and Certificates:			((($ 4.50))	$ 5.25
Filing fee for appeals:			((($35.75))	$41.00
Certification of qualified energy inspector:			((($17.00))	$19.50

Section 2. This Ordinance shall become operative as of July 1, 1991.

APPROVED AS TO FORM:

Louise H. Renne

City Attorney

by: Judith A. Boyajian

Deputy City Attorney

RECOMMENDED

Deputy Director and City Engineer

DESCRIPTION APPROVED

Superintendent

Bureau of Building Inspection

RECOMMENDED

Director of Public Works

APPROVED

Chief Administrative Officer

PUBLIC WORKS

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

May 6, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

May 13, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward

Absent: Supervisors Achtenberg Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 114-91-4

MAY 15 1991

Date Approved

Mayor

FILE NO. 114-91-5 ORDINANCE NO. 185-91

(Water Conservation)

AMENDING PART II, CHAPTER 12 OF THE SAN FRANCISCO MUNICIPAL CODE (HOUSING CODE) BY ADDING CHAPTER 12A THERETO TO ESTABLISH WATER CONSERVATION MEASURES FOR EXISTING RESIDENTIAL BUILDINGS UPON TITLE TRANSFER, MAJOR IMPROVEMENT, METERING CONVERSION, RESIDENTIAL CONDOMINIUM CONVERSION, OR COMPLETE INSPECTION AND REQUIRING COMPLIANCE OF CERTAIN MULTIPLE-FAMILY RESIDENTIAL BUILDINGS WITHIN THREE YEARS.

NOTE: This Chapter is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 12 of the San Francisco Municipal Code (Housing Code) is hereby amended by adding Chapter 12A thereto to read as follows:

CHAPTER 12A

RESIDENTIAL WATER CONSERVATION

SEC. 12A01. TITLE. This article shall be known as the Residential Water Conservation Ordinance.

SEC. 12A02. FINDINGS. The Board of Supervisors finds that:

(a) The entire state of California is suffering from the effects of a fifth consecutive drought year. These effects include the reduction of available water supplies to extremely limited levels. Rationing programs have been established in most areas of the state, including the City and County of San Francisco. Although recent rainstorms have lessened the severity

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of the drought, existing water supplies remain at extremely low levels.

(b) The use of water convervation devices such as low-flow showerheads, faucet aerators, low-flow toilets, and water volume reduction appliances for toilets in residential buildings will significantly reduce the overall demand for water and therefore help conserve existing water supplies.

(c) This ordinance is intended to be the first phase of a legislative program to achieve the City's goal of reducing water consumption in all residential, commercial, industrial and public buildings in the City and County of San Francisco. It is the intent of the Board to introduce future legislation to achieve this goal.

SEC. 12A03. INTENT. It is the intent of this ordinance to conserve existing water supplies by reducing the overall demand for water in residential buildings by requiring the installation of water conservation devices upon the occurrence of specific events and, in any event, no later than three years for certain multiple-family buildings.

SEC. 12A04. DEFINITIONS. In addition to the definitions contained in Chapters 4 and 12 of this Code, for the purposes of this ordinance the following words and phrases shall have the meanings ascribed to them by this section.

(a) Qualified inspector. A qualified inspector is an inspector defined in Chapter 12, Section 1206 of this Code, who is authorized to perform a water conservation inspection.

(b) Water conservation inspection. Inspection of a residential building for compliance with the requirements of this ordinance.

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BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 28 1991

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SEC. 12A05. WATER CONSERVATION INSPECTIONS. A water conservation inspection which satisfies the requirements of this Chapter shall be performed concurrently with the energy inspection required by Chapter 12 of this Code and must be performed by a qualified inspector.

SEC. 12A06. PROOF OF COMPLIANCE WITH MINIMUM WATER CONSERVATION MEASURES. (a) Inspection Form. The Bureau of Building Inspection shall provide a standardized form suitable for conducting a valid water conservation inspection and certifying compliance with the requirements of this ordinance. Said form may be combined with the energy inspection form required by Section 1207 of this Code. The inspection form shall be completed and signed by any qualified inspector, furnished to the building owner or the owner's authorized agent, and filed with the Bureau of Building Inspection per Section 1207.

(b) Certificate of Compliance. When all of the water conservation requirements have been met, a certificate of compliance shall be signed, filed and recorded per Section 1207 of this Code. The Bureau of Building Inspection shall provide a copy of the Certificate to the City Water Department.

(c) Public Record. Completed water conservation inspection forms and certificates of compliance shall be public record and shall be available for inspection by any interested person during regular business hours at the Bureau of Building Inspection.

SEC. 12A07. POSTPONEMENT OF REQUIREMENTS. Application of inspection and water conservation requirements for any residential building shall be postponed for one year from the date of application for a demolition permit for said building. If the residential building is demolished and Certificate of Completion issued by the Bureau of Building Inspection before the

end of the one-year postponement, the requirements of this Chapter shall not apply. If the residential building is not demolished after the expiration of one year, the provisions of this Chapter shall apply, even though the demolition permit is still in effect or new demolition permit has been issued.

SEC. 12A08. WATER CONSERVATION REQUIREMENTS UPON MAJOR IMPROVEMENT, METERING CONVERSION, RESIDENTIAL CONDOMINIUM CONVERSION, OR COMPLETE INSPECTION. A valid water conservation inspection pursuant to Section 12A05 and subsequent compliance with required water conservation measures pursuant to Section 12A11 shall be required of a residential building concurrently with the energy conservation inspection and compliance requirements set forth in Sections 1210 and 1211 of this Code.

SEC. 12A09. WATER CONSERVATION INSPECTION REQUIREMENT AT TRANSFER OF TITLE. Prior to any transfer of title as a result of sale or exchange of any residential building subject to the provisions of this Chapter, the seller or the seller's authorized agent shall obtain a valid water conservation inspection pursuant to Section 12A05 and shall install all applicable water conservation measures required by Section 12A10 as enumerated in the water conservation inspection form. Compliance with the section shall be concurrent with the energy conservation inspection required by Section 1211 of this Code and shall be in accordance with the provisions set forth in said section.

SEC. 12A10. REQUIRED WATER CONSERVATION MEASURES. The following water conservation measures are required for residential buildings as defined in Section 1204(i) of this Code:

(a) Low-flow devices on all accessible showerheads having a maximum rated flow of not more than 2.5 gallons per minute. Showerheads of the ball-joint type that cannot easily be removed

from the wall without structural alteration are exempt from this requirement.

(b) Aerators attached to kitchen, vanity and sink faucets which faucets are designed to accept such devices. These aerators shall include a flow restrictor and shall be of a type approved by the Superintendent of the Bureau of Building Inspection.

(c) Low-flow toilets (3.5 gallons per flush or less) or approved devices in toilets designed to reduce the total volume of water in each toilet flush, including but not limited to (1) flush reducers, (2) flow restrictors and (3) volume reducers. Installation of a retrofit device will not be required when its installation will impede the designed functioning and/or flushing of the toilet.

SEC. 12A11. MULTIPLE-FAMILY RESIDENTIAL BUILDINGS (R-1 OCCUPANCIES) EXCEPT FOR TOURIST HOTELS AND MOTELS REQUIRED TO COMPLY WITH WATER CONSERVATION REQUIREMENTS WITHIN THREE YEARS. All multiple-family residential buildings of R-1 occupancy, except for tourist hotels and motels, must comply with the requirements listed in Section 12A10 no later than three years from the effective date of this ordinance.

(a) Affidavit. In lieu of compliance with the provisions of Section 12A06, within a period of three years from the effective date of this ordinance, the owner or owner's authorized agent shall file with the City Water Department a signed affidavit signed by the owner affirming that the water conservation devices required by Section 12A10 either have been installed or an exemption is applicable. The affidavit shall be on a form provided by the City Water Department.

5/6/91 ep

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(b) Public Record. The affidavits required by subsection (a) above shall be public record and shall be available for inspection by any interested person during regular business hours at the City Water Department.

SEC. 12A12. APPEAL FROM RESULTS OF A WATER CONSERVATION INSPECTION. Any person with an interest in the property subject to a water conservation inspection who contests the determination of a qualified inspector regarding required water conservation measures may appeal said decision to the Superintendent within ten working days from the date the completed inspection form was filed with the Bureau of Building Inspection. Notice and appeal procedures shall be as set forth in Section 1213 of this Code.

SEC. 12A13. CIVIL REMEDIES. (a) Remedies. The remedies for failure to comply with the requirements of Sections 12A08 and 12A09 of this Chapter shall be as set forth in subsections (a) and (b) of Section 1215 of this Code for violations of the Residential Energy Conservation Ordinance. Failure to comply with the requirements of Section 12A11 of this Chapter shall result in an enforcement action pursuant to Chapter 2 of the San Francisco Building Code.

(b) Exceptions. In undertaking this program of water conservation inspections, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

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No civil liability, based on this ordinance, shall ensue from claims that the performance of, nonperformance of, negligent performance of, untimely performance of, or failure to perform in a proper manner, a water conservation inspection or audit shall cause injury to any person where that inspection or audit is conducted by a utility, or representative of a utility, which offers inspection or audit service for which no charge is made to the homeowner.

SEC. 12A14. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions, and clauses of this ordinance are declared to be severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Boyajian
Deputy City Attorney

9865j

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 6, 1991	§	May 13, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	§	Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley
Absent: Supervisors Ward	§	Absent: Supervisors Achtenberg Ward Hsieh Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Barbera
ACTING Clerk

File No.
114-91-5

MAY 15 1991
Date Approved

Mayor

FILE NO. 97-91-25 ORDINANCE NO. 186-91

[Special Trust Fund/Public Guardian]

AMENDING ARTICLE XIII, CHAPTER X, SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-58 THEREOF, ESTABLISHING A SPECIAL TRUST FUND OF THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN AND SPECIFYING PURPOSES FOR WHICH SAID FUND MAY BE USED.

Note: Additions and substitutions are underlined; deletions are in ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article XIII, Chapter X of the San Francisco Administrative Code is hereby amended by amending Section 10.117-58 thereof, to read as follows:

SEC. 10.117-58. ((CMHS)) PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN SUBSTITUTE PAYEE PROGRAM TRUST FUND.

(a) Findings. The Board of Supervisors finds that there are residents of the City and County of San Francisco who are recipients of Social Security Administration benefits, Veteran's Administration benefits, General Assistance, and income from public and private ((retirement systems)) sources who are unable to manage such ((payments)) income to their best advantage.

There are also residents of the City and County of San Francisco who are denied the payment of Social Security Administration benefits, Veteran's Administration benefits, General Assistance, and income from public and private ((retirement systems)) sources because of mental and/or physical disability who would benefit from assistance in applying for and managing funds.

Therefore, the Board of Supervisors authorizes the ((Department of Public Health, Community Mental Health Services,)) County Public Administrator/Public Guardian, pursuant to the permission of their client, to receive, manage, and disburse income and benefits from public and private ((agencies)) sources for those persons who receive such aid, but are unable to manage their funds.

5/15/91 jlb

The Department of Public Health and the Public Administrator/Public Guardian shall develop a Memorandum of Understanding delineating roles and responsibilities of each Department in relation to the Substitute Payee Program by June 30, 1991. The Public Administrator/Public Guardian shall submit to the Director of Public Health annually within thirty days of the close of each fiscal year a written report on the status of substitute payee services rendered to the mentally disabled clients of the Department of Public Health.

And, further, that the ((Department of Public Health, Community Mental Health Services)) Public Administrator/Public Guardian is authorized, pursuant to the permission of their client, to provide assistance in applying for public and private ((sources)) resources to which the client may be entitled ((to)), but which are withheld or not paid because of a determination from the funding ((agencies)) sources that the recipient is not mentally capable of managing such funds.

(b) Established. There shall be established ((in the Treasury of the City and County of San Francisco)) a special fund to be known and designated as the ((Community Mental Health Services)) Public Administrator/Public Guardian Substitute Payee Program Trust Fund, into which shall be placed deposits made by the ((Community Mental Health Services)) Public Administrator/Public Guardian on behalf of individual clients.

(c) ((CMHS)) Public Administrator/Public Guardian Substitute Payee Program. Upon agreement with the client, ((CMHS)) PA/PG may provide the following services:

(1) Collect and deposit entitlement checks in the ((CMHS)) PA/PG Substitute Payee Trust Fund.

(2) Redirect client's rent and utility bills to the ((CMHS)) PA/PG Substitute Payee Program and pay these bills with the client's

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((benefit)) funds.

(3) Make disbursements from the client's share in the trust fund for the client's personal needs.

(d) Refunds. Upon discharge or withdrawal of a client from the ((Community Mental Health Services,)) Public Administrator/Public Guardian Payee Program, any and all amounts on deposit in his/her name in the trust fund shall be paid to him/her.

(e) Revolving Fund. For the purposes of facilitating the withdrawal of money belonging to individual beneficiaries, the ((Director of Public Health)) Public Administrator/Public Guardian may maintain, as part of the trust fund, a revolving fund in such amounts as shall be authorized by the ((Director of Public Health with the concurrence of the Controller)) Public Administrator/Public Guardian. Such revolving fund may be maintained in cash at the office of the ((Community Mental Health Services)) Public Administrator/Public Guardian or may be deposited in such bank or banks as the ((Director of Public Health)) Public Administrator/Public Guardian may direct. If the account accrues any interest it will first be used to offset the City's administrative costs of managing the Substitute Payee Trust Program. Any remaining interest will be prorated and credited to the individual beneficiaries on the basis of their share in the account.

(f) Records. The ((Director of Public Health)) Public Administrator/Public Guardian shall cause full, true and correct records to be maintained, on a current basis, regarding the receipt and disbursement of all moneys belonging to any such client on deposit in the ((CMHS)) PA/PG Substitute Payee Program Trust Fund. Clear and current records must be maintained showing all credits to and debits from the account for each individual client, as well as each individual client's current share/balance in the account.

(g) ((Controller to Prescribe Accounting Methods. Pursuant to Section 3.301 of the Charter, the Controller shall prescribe the manner in which reports and accounts regarding the receipt and disbursement of the client's money shall be rendered to the Controller.)) The Public Administrator/Public Guardian shall keep records as befits a fiduciary entrusted with a client's funds.

APPROVED AS TO FORM.

LOUISE H. RENNE
City Attorney

Theodore P. Fabry
Deputy City Attorney

Supervisor Gonzalez

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Barber
ACTING Clerk

File No.
97-91-25

MAY 30 1991
Date Approved

Mayor

FILE NO. 91-91-28 ORDINANCE NO. 187-91

[Grant Applications]

AMENDING PART I, CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.170, WHICH ESTABLISHES THE PROCEDURES USED BY THE BOARD OF SUPERVISORS IN CONSIDERING AND APPROVING APPLICATIONS FOR GRANTS BY CITY OFFICERS, EMPLOYEES, BOARDS OR COMMISSIONS, BY REQUIRING THAT ALL RESOLUTIONS AUTHORIZING APPLICATIONS FOR GRANTS INDICATE RATES FOR REIMBURSEMENT OF INDIRECT COSTS, OR THE REASONS WHY THE RECOVERY OF INDIRECT COSTS CANNOT BE INCLUDED IN THE APPLICATION, AND BY AMENDING THE PROCEDURES USED TO EXPEDITE BOARD AUTHORIZATION OF THE FILING OF APPLICATIONS FOR GRANTS BY DEPARTMENTS OF THE CITY.

Note: Additions and substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part I, Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Sections 10.170 thereof, to read as follows:

SEC. 10.170. LIMITATIONS UPON APPLICATION FOR OR RECEIPT OF GRANT. Except as set forth herein or in some other section of this Code, ((no)) applications for ((a)) federal, state or other grants involving any project or program shall be filed or authorized by ((any)) officers, employees, boards or commissions following the approval by resolution of the Board of Supervisors of the filing of the application, as recommended by the Mayor. The request for

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approval of the submission of a grant application shall be processed in the following manner:

1. A proposed resolution may be submitted following the obtaining of signatures of the Department Head and of the Mayor (and in the case of "accept and expend" resolutions the approval of the Controller's Grants Division). The signed resolution then shall be brought to the Office of the Board of Supervisors, introduced, referred to the appropriate Committee, submitted for review by the budget analyst, and processed as resolutions are normally processed.

2. In the alternative, when time is of the essence and a Department head knows that the normal procedures will not result in the timely approval of a resolution authorizing the Department to file an application for funding, the following expedited process may be utilized. A Department shall submit the required material to the Clerk of the Board's Office by noon on Monday, or the succeeding business day if Monday is a holiday, 14 days before the Board's approval of the needed resolution is required.

((unless there first has been submitted to the Mayor and the Board of Supervisors a letter of intent to apply for the grant and a resolution consistent with the letter of intent has been approved. The following information shall be either included in each such letter of intent or provided in writing to the appropriate Board Committee prior to the Committee's consideration of the grant application:)) Departments using the expedited process shall submit the following:

((A description of the options for projects funded through the available funding source (a copy of the grant announcement or RFP should be attached to the letter of intent).

((A summary of the proposed grant-funded project.

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((A statement of whether the City is or have been participating in this or similar projects.

((The term of the grant and expectations regarding future funds.

((The amount of required City matching funds, if any.

((The maximum funding amount available through the grant.

((The number of new positions that will be created and funded under the grant project.

((Information on whether there will be any contractual services and if so, whether such services will be sent out to bid.

((A description of the population to be served or the problem to be addressed by the grant, including a brief assessment of need for the proposed project.))

A. A cover letter requesting the expedited process, substantially identical to a standard cover letter as specified by the Clerk of the Board.

B. A proposed resolution approving the grant application, which is signed by the Department Head and the Mayor's Office, and which shall authorize only an application for a grant.

C. A completed "Grant Application Information Form," on a form to be provided by the Clerk of the Board.

Five copies of the three documents shall be submitted to the Clerk's Office: an original, one for the Board file, one for the committee clerk, one for the Budget Analyst, and one for the Legislative Policy Staff.

The Clerk of the Board will then ensure that the resolution is introduced at the Board meeting the week after the weekly Monday deadline (or at the next scheduled meeting if the meeting the week after the weekly Monday deadline is cancelled), and calendared for

the Finance Committee at its meeting the week of the introduction (or at the next scheduled meeting if the meeting the week of the introduction is cancelled). The Clerk of the Board shall issue appropriate instructions to City Departments to ensure the provisions of this resolution with respect to the expedited grant process are observed. ((Letters of intent shall be filed with the Clerk of the Board of Supervisors and the Chair of the Board Committee to which these letters of intent will be referred at least 12 days prior to the date of the regular meeting of the Board by which approval of the submittal of the grant application must be obtained in order to file the grant application in a timely manner (additional days will be required in the event holidays alter the schedule of the Board of Supervisors). Letters of intent filed with the Clerk and the appropriate Committee Chair by Wednesdays at noon (or the immediately preceding workday at noon if a particular Wednesday is a holiday) shall be introduced at the immediately following Monday Board meeting for immediate referral to the appropriate Board Committee for hearing and recommendation, such hearing to occur, if at all possible, during the week of the letter's introduction at a Board meeting. On or before the day a letter of intent is before a Board Committee for consideration and approval, the sponsoring department or office shall present to the Committee a resolution, recommended by the Mayor, approving the submittal of the application for the grant, consistent with the letter of intent. The department or office shall also present the following additional information to the Committee as soon as the information becomes available:))

((A copy of the completed grant application and budget.)) Every officer, employee, board or commission submitting a grant application for Board review shall also notify the Capital

Improvement Advisory Committee of the City, as soon as possible, of the grant proposal if it includes any capital projects. The receipt and expenditure of grant funds applied for shall not be approved or authorized by the Board of Supervisors unless the Controller has certified that appropriate indirect costs are included in the grant budget. Nothing contained herein shall be construed to limit the action of officers, boards or commissions or their authorized representatives in the preliminary development and preparation of the application and related documents. The provisions of this section shall not be applicable to applications authorized by Resolution No. 318-71 for federal or state grants for sewage treatment works; provided, however, that the Director of Public Works shall forthwith notify the Mayor of the filing of such application or the receipt of any such grant. The provisions of this section shall not be applicable to applications for funds from the San Francisco County Transportation Authority. Every grant application shall contain provisions for the reimbursement of all allowable administrative expenses (indirect costs) incurred by the City and County in services necessary for the performance of the project or program.

Every department or office shall establish rates for such ((administrative services ()indirect costs(())), which shall be fixed in accordance with a directive of and approved by the Controller. Said rates shall be the basis for determining ((administrative expenses)) indirect costs to be reimbursed to the City and County of San Francisco from grant proceeds. The grant budget shall indicate said rates for reimbursement of indirect costs and these rates shall also be included in the authorizing resolution. The indirect costs shall be included both in the resolution to apply for, and in the resolution to accept and expend

grant funds. If indirect costs are not allowed by the funding agency, or if there are other reasons why indirect costs cannot be included in the budget, these reasons shall be noted in the authorizing resolution. The Board may waive the requirement that indirect costs must be included. If the authorizing resolution for the grant application does not include rates for reimbursement of indirect costs or reasons why said rates cannot be included in the application, the authorizing resolution shall be returned by the Clerk to the department or office without reference to committee.

Every department or office submitting to the Board of Supervisors a budget for grants received from public funds shall conform to proposed budgets recommended by the Mayor and approved by the Board. In making actual line item expenditures from such an approved budget, the department or office may reallocate or transfer funds within the total approved budget amount; provided, that when any line item is modified or increased by more than 15 percent copies of any modification or increase documents which are transmitted to federal or state agencies shall be transmitted also to the Finance Committee.

The budget approved by the Board of Supervisors shall be contained in the authorizing resolution or set forth in the Board of Supervisors' file therefor.

proceeds.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 13, 1991	§	May 20, 1991
	§	
	§	
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward
	§	
Absent: Supervisors Achtenberg Ward Hsieh Kennedy	§	Absent: Supervisors Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Red Baker
ACTING Clerk

File No.
97-91-28

MAY 23 1991
Date Approved

Acting Mayor

FILE NO. 45-91-15 ORDINANCE NO. 188-91

RO #90237

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JANICE WONG AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JANICE WONG v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 917-834, by the payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

for KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

WILLIS CASEY
Chief of Police

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38
309781 1450 $10,000.00

MAR 25 1991

APPROVED:

SECRETARY
Police Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1991	May 20, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward
Absent: Supervisors Achtenberg Hsieh Kennedy	Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-91-15

MAY 31 '91
Date Approved

Mayor

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JUN 14 1991

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FILE NO. 62-91-3 ORDINANCE NO. 189-91

(CAMP MATHER STORE LEASE)

APPROVING A FIVE-YEAR LEASE WITH CHARLES CRAN, DBA: STRAWBERRY MUSIC, INC., FOR ESTABLISHING AND OPERATING A CAMP STORE CONCESSION AT CAMP MATHER, TUOLUMNE COUNTY, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Charles Cran, dba: Strawberry Music, Inc.; for establishing and operating a camp store concession at Camp Mather for five years, a copy of which lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1991	May 20, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward
Absent: Supervisors Achtenberg Ward Hsieh Kennedy	Absent: Supervisors Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 62-91-3

MAY 31 '91
Date Approved

Mayor

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(Minority, Women and Local Business Enterprises - Prime Contracts)
AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 12D.5, 12D.6, 12D.8, 12D.11, 12D.13, 12D.15, 12D.16, 12D.17, 12D.18 THEREOF AND ADDING SECTION 12D.19 THERETO, RELATING TO THE PROCUREMENT OF GOODS AND SERVICES AND THE AWARD OF PUBLIC CONTRACTS BY THE CITY AND COUNTY OF SAN FRANCISCO FROM MINORITY BUSINESS ENTERPRISES, WOMEN BUSINESS ENTERPRISES, AND LOCAL BUSINESSES.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 12D.5, 12D.6, 12D.8, 12D.11, 12D.13, 12D.15, 12D.16, 12D.17, and 12D.18 thereof, and adding Section 12D.19 thereto, to read as follows:

Sec. 12D.5. Definitions.

"Award of a Contract" occurs when a contract is certified by the Controller of the City and County of San Francisco.

"Bid" shall mean and include a quotation, proposal, solicitation or offer by a bidder or contractor to perform or provide labor, materials, equipment, supplies or services to the City and County of San Francisco for a price.

"Bidder" shall mean any business that submits a quotation, bid or proposal to provide labor, materials, equipment, supplies or services to the City and County of San Francisco.

"City" shall mean the City and County of San Francisco.

"Commercially useful function" for purposes of determining whether a business is a minority business enterprise, woman business enterprise or local business enterprise shall mean that the business is directly responsible for providing the materials, equipment, supplies or services to the City as required by the solicitation or request for quotes, bids or proposals. MBEs, WBEs or LBEs who engage in the business of providing brokerage, referral or temporary employment services shall not be deemed to perform a "commercially useful function" unless the brokerage, referral or temporary employment services are those required and sought by the department.

"Commission" shall mean the Human Rights Commission of the City and County of San Francisco.

"Concession" shall include any grant of land or other property by or on behalf of the City and County of San Francisco to a person for the purpose or use specified in said grant. A "concession" shall not include an agreement to perform construction-related services.

"Contract" shall mean and include any agreement between the City and a person to provide or procure labor, materials, equipment, supplies or services to, for or on behalf of the City and County of San Francisco. A "contract" shall include an agreement between the City and a person or non-profit entity to perform construction related services or fund the performance of such services. Except as otherwise specifically defined in this section, a "contract" does not include: (1) awards made by the City with Federal/State grant or City general fund monies to a non-profit entity where the City offers assistance, guidance, or supervision on a project or program and the recipient of the grant award uses the grant monies to provide services to the community; (2) sales transactions where the City sells its personal or real property; (3) a loan transaction where the City is acting as a debtor or a creditor; (4) lease, franchise, or concession agreements; ((or)) (5) agreements to use

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City real property; or (6) gifts of materials, equipment, supplies or services to the City.

"Contract Awarding Authority" shall mean the City officer, department, commission, employee or board authorized to enter into contracts on behalf of the City. In the case of an agreement with a person or non-profit entity to perform or fund the performance of construction related services, the term "contract awarding authority" shall mean the person or non-profit entity receiving funds from the City to perform or fund the performance of such services.

"Contractor" shall mean any person(s), firm, partnership, corporation, or combination thereof, who submits a bid, performs any part of, agrees with a person to provide services relating to and/or enters into a contract with department heads and officers or contract awarding authorities empowered by law to enter into contracts on the part of the City for public works or improvements to be performed, or for goods and services or supplies to be purchased at the expense of the City or to be paid out of monies deposited in the treasury or out of trust monies under the control of or collected by the City.

"Controlled" for the purposes of determining whether a business is a Minority Business Enterprise, or Women Business Enterprise, shall mean the minority(ies), the woman or combination of minorities and women, as the context requires, shall (1) possess legal authority and power to manage business assets, good will and daily operations of the business; and (2) actively and continuously exercise such authority and power in determining the policies and directing the operations of the business.

"Director" shall mean the Director of the Human Rights Commission of San Francisco.

"Economically Disadvantaged Business" shall mean a business whose average gross annual receipts in the three fiscal years immediately preceding its application for certification as a MBE, ((or)) WBE or LBE does not exceed the following limits: (1) Public Works/Construction-- $14 million; (2) Goods/Materials/Equipment and General Services Suppliers -- $2 million; (3) Professional Services-- $2 million.

"Equipment and Supplies Contract" shall mean term purchase agreements, contract orders, purchase orders and any other agreement for the purchase of transportation equipment, office supplies, data processing and office equipment, hospital and medical equipment and supplies, food, building supplies, fire/safety equipment and supplies, clothing, miscellaneous and electrical equipment and supplies. The term "equipment and supplies contract" shall not include contracts for fuels, lubricants and illuminants.

"Franchise" shall mean and include the right or privilege conferred by grant from the City and County of San Francisco, or any contracting agency thereof, and vested in and authorizing a person to conduct such business or engage in such activity as is specified in the grant. A "franchise" shall not include an agreement to perform construction-related services.

"General Services Contract" shall mean term purchase agreements, contract orders, purchase orders and any other agreement for the procurement of janitorial, security, equipment and computer maintenance, miscellaneous, printing and graphics services.

"Good Faith Efforts" shall mean the actions undertaken by a department to obtain MBE or WBE participation in a contract as prime contractors, and shall include the following efforts: (1) encouraging MBE/WBEs to attend pre-bid meetings, scheduled by a department or the Commission, to inform potential contractors of

contracting opportunities; (2) advertising in general circulation media, trade association publications and minority/woman business focus media; (3) notifying MBE/WBEs who are available to perform the work contemplated in a contract, soliciting their interest in the contract; (4) dividing the contract work into economically feasible units to facilitate MBE/WBE participation in the contract; (5) pursuing solicitations of interest by contacting MBE/WBEs to determine whether these businesses are interested in participating on the contract; (6) providing MBE/WBEs with adequate information about the plan, specifications and requirements of the contract; (7) where applicable, negotiating with MBE/WBEs in good faith and demonstrating that MBE/WBEs were not rejected as unqualified without sound reasons based on a thorough investigation of their capabilities; and (8) using the services of available community and contractors' groups, local, State or Federal minority and woman business assistance offices that provide assistance in the recruitment of MBE/WBEs for public sector contracts.

"Human Rights Commission" (HRC) shall mean the Human Rights Commission of San Francisco, consisting of Commissioners appointed by the Mayor; hereinafter, it shall be referred to as the Commission.

"Joint venture" shall mean and may be referred to as an "Association" of two or more businesses acting as a contractor and performing or providing services on a contract, in which each joint venture or association partner combines property, capital, efforts, skill, and/or knowledge.

"Lease" shall mean and include an agreement by which the City and County of San Francisco or any contracting agency thereof, grants to a person the temporary possession and use of property for reward, and the latter agrees to return the same to the former at a future time. A "lease" shall not include an agreement to perform

construction-related services.

"Local Business" or "Local Business Enterprise (LBE)" shall mean an economically disadvantaged business which is an independent and continuing business for profit, performs a commercially useful function and is a firm: (1) with fixed offices or distribution points located within the geographical boundaries of the City and County of San Francisco; (2) listed in the Permits and License Tax Paid File with a San Francisco business street address; and (3) which possesses a current Business Tax Registration Certificate at the time of the application for certification as a local business. Post Office box numbers or residential addresses shall not suffice to establish status as a "Local Business". To qualify as a "Local Business" or "LBE" a business must establish that it has been located and doing business in San Francisco for at least six months preceding its application for certification as a local business.

"Minority", "Minorities", or "Minority person" shall mean members of one of the following ethnic groups: Asians (defined as Chinese, Japanese, Koreans, Pacific Islanders, Samoans, Filipinos, ~~Asian Indians~~ and Southeast Asians), Blacks, and Latinos (defined as Mexicans, Puerto Ricans, Cubans, Central or South Americans).

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"Minority Business Enterprise (MBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function, and is owned and controlled by one or more minority persons residing in the United States or its territories.

"Miscellaneous Professional Services" shall mean all professional services except legal, architect/engineer, computer systems, management consulting and medical services.

"Office" or "Offices" shall mean a fixed and established place where work is carried on of a clerical, administrative, professional

or production nature directly pertinent to the business being certified. A temporary location or movable property or one that was established to oversee a project such as a construction project office does not qualify as an "Office" under the Ordinance.

"Owned", for purposes of determining whether a business is a minority business enterprise or woman business enterprise, shall mean that the minorities or women as the context requires, shall possess an ownership interest of ((over fifty percent (50%))) at least fifty-one percent (51%) of the business, and shall:

1. Possess incidents of ownership, such as an interest in profit and loss, equal to at least the required ownership interest percentage; and

2. Contribute capital, equipment and expertise to the business equal to at least the required ownership percentage.

Ownership of an individual seeking MBE or WBE certification shall be measured as though the applicant's ownership is not subject to the community property interest of a spouse, if both spouses certify that (a) only the woman or minority spouse participates in the management of the business and (b) the non-participating spouse relinquishes control over his/her community property interest in the subject business; or both spouses have bona fide management and control of the business.

"Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Percent Availability" see "Participation Goals".

"Person" includes one or more individuals, partnerships, associations, organizations, trade or professional associations,

corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group of persons, including any official, agent or employee of the City and County of San Francisco.

"Professional Services Contract" shall mean agreements for the procurement of legal, architect/engineer, computer systems, management consulting, ((and)) medical services and miscellaneous professional services.

"Set Aside" when referring to a contract or project shall mean a procurement or contract award process where competition for a contract or project is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs.

"Woman Business Enterprise (WBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function and is owned and controlled by one or more women residing in the United States or its territories.

"Woman/Minority Man Business Enterprise (W/MBE)" shall mean an economically disadvantaged local business which meets the definition of an MBE or WBE, except that the aggregate ownership interest of the woman and the minority man equals or exceeds ((over fifty percent (50%))) fifty-one percent (51%) of the business. An W/MBE shall qualify and be deemed by a department an MBE or WBE, but not both, for purposes of this Ordinance. Any reference in this Ordinance to MBE or WBE includes a W/MBE.

Sec. 12D.6. Powers and Duties of the Commission and the Director.

(A) In addition to the duties and powers given to the Human Rights Commission elsewhere, the Commission shall:

1. collect and analyze relevant data which will assist

the Board of Supervisors in determining whether race or gender-conscious remedies are appropriate and necessary for contracts not subject to or ethnic groups not afforded the race and gender-conscious bid preferences of this Ordinance. The Commission shall periodically report the results of this study to this Board;

2. levy sanctions as specified in Section 12D.8.(B) 7.;

3. when necessary, subpoena persons and records, books and documents for a proceeding of the Commission or an investigation by the Director conducted to further the purposes of this Ordinance;

4. amend existing rules and regulations establishing standards and procedures for effectively carrying out this Ordinance. The rules and regulations shall provide for administrative procedures which will allow a business to prove and the Commission to recommend to this Board that the Ordinance's remedial measures should not be applied to an industry or profession because MBE/WBE participation in City prime contracts has reached parity with their numbers in the relevant business community and MBE/WBEs no longer suffer from a discrimination induced competitive disadvantage in the applicable industry or profession. The regulations shall also provide a mechanism for contractors to seek a determination by the Director that a MBE or WBE may not be granted a race or gender-conscious bid preference where it is demonstrated that the MBE or WBE's bid price is not attributable to the effects of past discrimination.

(B) In addition to the duties and powers given to the Director elsewhere, the Director shall have the following duties and powers:

1. through appropriately promulgated procedures,

certify businesses as bona fide MBEs/WBEs/LBEs. These procedures shall provide that any business seeking certification as a local business shall meet the definition of a LBE and possess or establish all of the following: (1) business cards for the San Francisco office; (2) business stationery for the San Francisco office; (3) written agreement for occupancy of the San Francisco office; (4) that the business is listed in an appropriate business buyers guide such as a telephone yellow pages listing San Francisco based businesses; (5) that business is transacted in the San Francisco office; (6) a conspicuously displayed business sign at the San Francisco business premises except where the business operates out of a residence; and (7) the office is appropriately equipped for the type of business for which certification as a LBE is sought.

Except where the Director cannot certify a business because the business has not been established in San Francisco for the requisite six months, whenever ((If)) the Director denies an application for or revokes the certification of a business as a MBE, WBE, LBE ((or a business' certification as a MBE, WBE, LBE is revoked by the Director)) because the business is not a bona fide MBE, WBE, LBE, ((the aggrieved business may reapply to the Director for certification six months after the denial or revocation.)) the Director shall inform the aggrieved business in writing when the business will be eligible to reapply for certification. The Director shall require a business to wait at least six months but not more than two years after the denial or revocation before reapplying to the Director for certification as a MBE, WBE or LBE. Except as provided in Section 12D.14.(C), the Director's denial or revocation of certification of a business as a MBE, WBE, LBE shall not be appealable to the Commission;

2. annually, and more often if he deems necessary, analyze the most recently available data on "percent availability" of MBEs and WBEs in the various industries and professions identified in the utilization indices set forth in Appendix X to this Ordinance. Applying statistically sound methods of analysis, the Director shall identify areas of contracting where the City or its departments are failing to meet the participation goals to such an extent that an inference of discrimination can be made. In addition, the Director shall identify areas of contracting where the City is meeting and/or exceeding participation goals to such an extent that the MBE or WBE bid preferences can no longer be justified. The results of this study shall be included in the Commission's annual report required by Section 12D.15.(C).

Not later than March 1st of each fiscal year, the Director shall transmit to the Board of Supervisors proposed amendments to this Ordinance and the utilization indices necessitated by the data he has collected and analyzed;

3. by July 1 of each fiscal year subject to this Ordinance, inform the Controller of the data each department is required to provide the Controller on each contract award. This data shall form the basis of the Commission's report to the Mayor, Board of Supervisors and Chief Administrative Officer and the public on the participation of MBEs and WBEs on City prime contracts subject to the Ordinance;

4. provide information and other assistance to MBEs and WBEs to increase their ability to compete effectively for the award of City contracts;

5. assist the City to increase participation by MBEs and WBEs in City contracts;

6. continue to develop and strengthen education and training programs for MBEs and WBEs and City contract awarding personnel;

7. where after determining that a department, despite its good faith efforts and application of the bid preference(s), has failed substantially to eliminate the exclusion of MBEs and/or WBEs from City contracting, the Director, after consulting with the department responsible for the project(s), may request the Contract Review Committee established in Section 12D.8.(A)3. to review and approve the proposed project(s) for a set aside.

(C) The requirements of this Ordinance are separate from those imposed by the United States or the State of California as a condition of financial assistance or otherwise; however, the Director may authorize the substitution of such State or Federal Minority Business Enterprise and Women Business Enterprise requirements for the requirements of this Ordinance whenever such State or Federal requirements are substantially the same as those of this Ordinance.

(D) The Director, with the approval of the Commission, may enter into cooperative agreements with agencies, public and private, concerned with increasing the utilization of MBEs and WBEs in government contracting, subject to the approval of the Board of Supervisors of the City and County of San Francisco.

Sec. 12D.8. Powers and Duties of the Mayor, Departments or Contract Awarding Authorities.

(A) In addition to the duties given to the Mayor elsewhere, the Mayor shall:

1. by July 1 of each fiscal year subject to this Ordinance, issue notices to all City departments informing them of their duties under this Ordinance. The notice shall contain

the following information: (1) the City wide MBE/WBE participation goals that departments are expected to use good faith efforts to attain during the fiscal year and that a department's failure to use good faith efforts to attain the MBE/WBE participation goals shall be reported to the Board of Supervisors and Chief Administrative Officer in the Commission's annual report; and (2) the data each department is required to provide the Controller on each contract award;

2. pursuant to Charter Section 3.100, coordinate and enforce cooperation and compliance by all departments with this Ordinance.

3. establish a three member Contract Review Committee who shall have the authority to review contracts proposed by the Director or a department to be set aside, where competition for these contracts is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs. The three member Contract Review Committee shall be composed of the HRC Director, an individual appointed by the Chief Administrative Officer and an individual appointed by the Mayor. The Chief Adminstrarive Officer and the Mayor shall appoint individuals who are knowledgeable about contracting practices of the City and of the industry or profession affected by the set aside of the contract.

(B) Contract awarding authorities or in the case of a professional services contract, the department making the contract award recommendation, shall:

1. use good faith efforts to solicit and obtain quotes, bids or proposals from MBEs and WBEs on all solicitations, or document their unavailability;

2. unless otherwise indicated in this Ordinance and except where prohibited by State or Federal law or regulation,

extend a preference in all bids and contracts and in the composition of rating scales as follows: (1) a five percent (5%) preference to (i) a local business or (ii) a joint venture with local MBE or local WBE participation which equals or exceeds thirty-five percent (35%) but is under ((fifty-one percent (51%))) forty percent (40%); or (iii) where a joint venture is composed of only local businesses with no local MBE or WBE participation or where the local MBE or local WBE participation is less than thirty-five percent (35%); (2) a seven and one-half percent (7.5%) preference to: (i) a joint venture with local MBE or WBE participation which equals or exceeds forty percent (40%) but is less than fifty-one percent (51%); (3) a ten percent (10%) preference to (i) a local MBE or local WBE or (ii) a joint venture with local MBE or local WBE participation which equals or exceeds fifty-one percent (51%).

A joint venture shall receive the aforementioned appropriate ((a)) bid preference when the MBE or WBE ((partner)) is an active partner in the joint venture and performs work, manages the job and takes financial risks in proportion to the required level of participation stated in the bid documents and is responsible for a clearly defined portion of the work to be performed, and shares in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the MBE or WBE joint venturer's work shall be set forth in detail separately from the work to be performed by the nonMBE or nonWBE joint venture partner. The MBE or WBE joint venturer's portion of the contract must be assigned a commercially reasonable dollar value;

3. arrange contracting by size and type of work to be performed so as most effectively to enhance the opportunity for

participation by MBEs and WBEs to the maximum extent feasible. As soon as practical before soliciting quotes, bids or proposals, all contract awarding authorities or in the case of a professional services contract, the department making the contract award recommendation, shall submit all large proposals to the Director for review. The purpose of the Director's review is to determine whether the proposed project can be divided into smaller projects so as to enhance the opportunity for participation by MBEs and WBEs in the project. For purposes of this subsection, the term "large project" shall mean the following: (1) any public works/construction project estimated to cost more than five million dollars ($5,000,000); (2) any professional services contract estimated to cost more than fifty thousand dollars ($50,000). If the Director determines, after consulting with the contract awarding authority or department responsible for the project, that the project can be divided into smaller projects, the contract awarding authority or department shall comply with the Director's determination and issue the solicitation for quotes, bids or proposals in accordance with the Director's determination;

4. adjust bid bonding and insurance requirements as recommended by the City Risk Manager in his May 2, 1989 "Contract Insurance Manual";

5. utilize a revolving fund as may be established by the City to assist MBEs and WBEs to meet bonding, insurance and other fee-related requirements;

6. submit to a central office all current bids, requests for proposals, and solicitations with sufficient lead time to provide adequate notice and opportunity to MBEs and WBEs to participate;

7. impose such sanctions or take such other actions as are designed to ensure compliance with the provisions of this Ordinance, which shall include, but are not limited to:

(a) refusal to grant the award of a contract;

(b) order the suspension of a contract;

(c) order the withholding of funds;

(d) order the revision of a contract based upon a material breach of contract provisions pertaining to MBE or WBE participation;

(e) disqualification of a bidder, contractor, subcontractor, or other business from eligibility for providing goods or services to the City for a period not to exceed five years, with a right to review and reconsideration by the Commission after two years upon a showing of corrective action indicating violations are not likely to ((reoccur)) recur; and

8. not award any contract to a person or business which is disqualified from doing business with the City under the provisions of this Ordinance, nor shall any contract be awarded to any person or business which is disqualified from doing business with any governmental agency based on failure to comply with Minority or Women Business Enterprise or contract compliance requirements which are substantially the same as those of this Ordinance.

9. designate a staff person to be responsible for responding to the Director and Commission and to the requirements of this Ordinance.

10. maintain accurate records for each contract awarded, its dollar value, the nature of the goods or services to

be provided, the name of the contractor awarded the contract, the efforts made by a construction, architect/engineer contractor to solicit bids from and award subcontracts to MBEs and WBEs.

11. where feasible, provide technical assistance to MBEs and WBEs to increase their ability to compete effectively for the award of City contracts.

(C) Subject to the prior approval of the Director, contract awarding authorities or departments may invite, encourage or request businesses to joint venture on any contract to promote MBE or WBE participation.

(D) For the purpose of determining Minority and Women Business Enterprise participation:

Contracts awarded to joint ventures in which one or more MBEs or WBEs are combined with one or more businesses which are not Minority or Women Business Enterprises shall be deemed to be awarded to Minority or Women Business Enterprises only to the extent of the Minority or Women Business Enterprises participation in the joint venture.

(E) All contracts subject to this Ordinance shall include the following requirements, in addition to such other requirements as may be set forth elsewhere:

1. bidders and contractors on all contracts shall be required to sign before a notary an affidavit prepared by the City Attorney, declaring their intention fully to comply with the provisions of the Ordinance;

2. contracts shall incorporate this Ordinance by reference and shall provide that the wilful failure of any bidder or contractor to comply with any of its requirements shall be deemed a material breach of contract;

3. contracts shall provide that in the event that the

Director finds that any bidder or contractor wilfully fails to comply with any of the provisions of this Ordinance, rules and regulations implementing the Ordinance or contract provisions pertaining to MBE or WBE participation the bidder or contractor shall be liable for liquidated damages for each contract in an amount equal to the bidder's or contractor's net profit on the contract, or ten percent (10%) of the total amount of the contract or one thousand dollars ($1,000) whichever is greatest, said amount to be determined by the Director pursuant to Section 12D.14.(C). All contracts shall also contain a provision in which the bidder or contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the City upon demand and may be set off against any monies due to the bidder or contractor from any contract with the City.

(F) All contracts or other agreements between the City and County of San Francisco and persons or entities, public or private, where such persons or entities receive money from or through the City for the purpose of contracting with businesses to perform public improvements, shall require such ((agencies)) persons or entities to comply with the provisions of this Ordinance in awarding and administering such contracts, except where prohibited by State or Federal law or regulation.

(G) Where a department can demonstrate, despite its good faith efforts and application of the bid preference(s), that it has failed substantially to eliminate the exclusion of MBEs or WBEs from City contracting, the department, after consulting with the Director, may request the Contract Review Committee established in Section 12D.8.(A)3. to review and approve the proposed project(s) selected by the department for a set aside.

(H) City department heads and commissioners shall attend

a one hour mandatory training session on an annual basis. The training session shall be organized and conducted by the Director and shall inform City department heads and commissioners of the requirements of this Ordinance.

Sec. 12D.11. Additional Findings Supporting the Race and Gender-Conscious Bid Preferences -- Consultants and Professional Services.

(A) In addition to the General Findings set forth in Section 12D.2. and based upon the record before this Board, the Board hereby makes additional findings in support of the race and gender-conscious bid preferences for the following specifically enumerated professional services contracts: legal, architect and engineer, computer systems, management consulting, medical services.

1. In Ordinance No. 139-84 this Board identified discriminatory procurement practices against MBEs and WBEs in the award of prime professional services contracts.

2. The evidence before this Board relating to the award of prime legal services contracts for fiscal year 1987-1988 reflects that Black law firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black law firms willing and able to perform legal services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

The statistical evidence before this Board reflects that there are few Asian, Black, ((and)) Latino and women owned law firms certified by the ((Commission)) Director to provide legal services to the City. An April 1988 San Francisco Bar Association study concludes that there is significant disparity

between equally qualified white and minority lawyers in terms of income, current employment positions, hiring, promotion and retention in San Francisco. The study also concludes that a high percentage of white and minority lawyers believe that racial discrimination plays a role in the employment practices of San Francisco legal employers. The report of the Judicial Council Advisory Committee on Gender Bias in the Courts on Civil Litigation and Courtroom Demeanor concludes, among other points, that opportunities for advancement and promotion in the legal profession appear less available to women than to men. In view of ((this study)) these studies, the Board finds that minority lawyers are excluded from employment opportunities due to discriminatory employment practices in San Francisco and that women lawyers are excluded from employment opportunities due to discriminatory practices in California. These employment practices prevent minority and women lawyers from gaining the necessary experience that would enable minority and women lawyers to compete for City legal services contracts. The City in its award of legal services contracts will become a passive participant in those practices.

The City is granting Asian, Black, ((and)) Latino and women owned law firms a bid preference pursuant to Section 12D.8.(B)2. to encourage majority law firms to joint venture with these minority and women owned law firms when competing for the award of City contracts for legal services. Department shall also grant a seven and one-half percent (7.5%) bid/rating preference to any majority owned law firm based in San Francisco that enters into an affirmative action program with the Director and agrees to take affirmative action to perform the following: (1) increase the recruitment, hiring, retention and advancement to partnership

of minority lawyers within the firm; (2) have minority lawyers within the firm capable of providing the required services included among those who represent the City; (3) maintain and expand existing joint ventures or other formal associations with minority owned law firms, and retain and otherwise enter into joint ventures or other formal associations with minority owned law firms with which the firm does not currently have such a relationship, on legal matters of the law firm clientele calling for such a relationship; (4) request all law firms which serve as associate counsel, co-counsel or local counsel to the firm to adopt in principle these goals; (5) refer conflict of interest situations to minority owned law firms; and (6) take such additional steps as are practicable to foster and enhance relations between the majority firm and minority owned law firms, including but not limited to providing educational and training opportunities in furtherance of the objectives of this Ordinance as it relates to the legal profession. The affirmative action program developed pursuant to this subsection shall be effective for a period of twelve (12) months after the date of agreement in writing by the law firm and the Director or the term of the legal services contract, whichever term is greater.

3. The evidence before this Board relating to the award of prime architect and engineering contracts for fiscal year 1987-1988 reflects that Black and woman owned architectural/engineering firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black and woman owned architectural/engineering firms willing and able to perform these services for the City. The evidence before this Board relating to the award of prime architect and engineering contracts for

fiscal year 1989-1990 reflects that Asian owned architectural/engineering firms have been awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian owned architectural/engineering firms willing and able to perform these services for the City. Given that Asian owned architectural/engineering firms enjoy a relatively large share of this market, these statistically significant results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

4. The evidence before this Board relating to the award of prime computer systems services contracts for fiscal year 1987-1988 reflects that Asian, Black and women owned computer systems firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Black and woman owned computer systems firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

5. The evidence before this Board relating to the award of prime management consulting services contracts for fiscal year 1987-1988 reflects that Asian, Black and women-owned management consulting firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Black and woman owned management consulting firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

6. The evidence before this Board relating to the award of prime medical services contracts for fiscal year 1987-1988 reflects that Asian, Latino and woman owned medical services firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino and woman owned medical services firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

7. The evidence before this Board relating to the award of prime miscellaneous professional services contracts for fiscal year 1989-1990 reflects that Asian, Latino, Black and woman owned firms which provide miscellaneous professional services are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino, Black and woman owned firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

8. The evidence before this Board supports the conclusion that aforementioned MBEs and WBEs are disadvantaged by discriminatory practices when competing for City prime professional services contracts.

9. The Board is granting a competitive advantage, the bid preference, to the MBEs and WBEs identified as having been subject to the identified competitive disadvantage caused by the City's discriminatory procurement practices in the award of the aforementioned professional services contracts.

(B) For all professional services contracts as defined herein, the contract awarding authority or the department making

the contract award recommendation shall furnish the Director with an informational copy of all bid conditions and requests for proposals, if any, along with a statement identifying all funds provided by any other governmental agency which will be used in payment of the contract. Prior to solicitation of bids or proposals, the Director may make recommendations to the contract awarding authority with respect to provisions pertaining to MBE and WBE participation.

(C) Professional Services contracts, the estimated cost of which exceeds ten thousand dollars ($10,000), shall be awarded and administered in accordance with the following standards and procedures:

1. The contract awarding authority or the department making the contract award recommendation shall use good faith efforts to solicit bids or proposals from MBEs and WBEs certified to provide the specified services. MBEs and WBEs shall be provided every practical opportunity to submit bids or proposals;

2. City departments shall include amongst consultant selection panelists individuals who are women and minorities.

3. All consultant selection panels and awarding officers shall apply the bid/rating preferences to each stage of the selection process, e.g. qualifications, proposals and interviews. Each evaluator shall score each consultant on a point system based on a predetermined evaluation criteria and predetermined point value. The selection criteria shall be based solely on objective factors that are related to the ability of the contractor to perform the proposed project. The bid/rating preference shall be applied to the score attained by the MBE, WBE, and/or LBE as set forth in this Ordinance. If the highest score is attained by a MBE or WBE, the department shall enter

into good faith negotiations with that consultant. Subject to the prior approval of the Director and upon a showing that those negotiations were undertaken in good faith with the aforementioned MBE or WBE consultant, a department may award the contract to another competing consultant.

4. The Director is empowered to take actions as are designed to ensure compliance with the provisions of this section, which shall include, but are not limited to:

(a) order the suspension of the selection process;

(b) intervene in the selection process to correct contracting practices which hinder equal business opportunities for MBEs and WBEs.

Sec. 12D.13. Exceptions and Waivers.

(A) The Director shall waive the race and gender-conscious bid preferences and good faith efforts requirements of this Ordinance under the following circumstances:

1. whenever the Director finds, with the advice of the contract awarding authority, that needed goods or services are available only from a sole source ((which is not a MBE or WBE,)) and the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency based on a failure to comply with Minority or Women Business Enterprise or contract compliance requirements;

2. if the contract awarding authority certifies in writing to the Director that: (1) pursuant to Administrative Code Section 6.30 the contract is necessary to respond to an emergency which endangers the public health or safety and (2) there is no time to apply the bid preference(s) and no MBEs or WBEs capable of performing the emergency work are immediately available; provided that such certification shall be made prior to the

Controller's contract certification.

(B) The Director shall waive the five percent (5%) LBE bid preference for contracts in excess of five million dollars ($5,000,000) whenever a contract awarding authority establishes that: (1) sufficient qualified Local Business Enterprises capable of providing the needed goods and services required by the contract are unavailable and (2) sufficient qualified businesses located outside of San Francisco capable of providing the needed goods and services required by the contract are available; or (3) the application of the five percent (5%) LBE preference will result in significant additional costs to the City if the waiver of the bid preference is not granted.

(C) Pursuant to Administrative Code Section 6.29-2, the bid preference provisions of this Ordinance are not applicable to any contract for the construction, reconstruction or repair of public buildings, streets, utilities or other public work or improvement estimated to cost in excess of $10 million.

(D) Pursuant to Administrative Code Section 21.11-2, the bid preference provisions of this Ordinance are not applicable to any contract for the purchase of materials, supplies or equipment estimated to cost in excess of $10 million.

Sec. 12D.15. Reporting and Review.

(A) Reporting by Departments

By December 31 of each fiscal year all contract awarding authorities and departments shall report annually to the Mayor on their progress in the preceding fiscal year toward achievement of the MBE and WBE participation goals.

(B) Reporting by the Director

1. The Director shall report quarterly to the Commission and to the Board of Supervisors whether the goals

BOARD OF SUPERVISORS

stated in Section 12D.3. have been met in whole or in part.

2. The Director shall report to the Commission all waivers ((granted)) acted upon pursuant to Section 12D.13. Such report shall be made at the first Commission meeting following the granting of the waiver.

(C) Reporting by the Commission

By March 1 of each fiscal year subject to this Ordinance, the Commission shall submit an annual report to the Mayor, Board of Supervisors and Chief Administrative Officer on the progress of the City toward the goals stated in Section 12D.3. of this Ordinance, together with an identification of problems and specific recommendations for: (1) discontinuing the race or gender-conscious bid preferences in those cases where the bid preferences have remedied the identified discrimination against MBEs and WBEs; and (2) improving the City's performance in remedying the identified discrimination against MBEs and WBEs.

(D) The Board of Supervisors shall act upon the Commission's recommendations by the third Board meeting of May in each fiscal year subject to this Ordinance.

(E) Review by the Commission

This Ordinance shall expire June 30, 1992 unless the Commission, after conducting public hearings, finds that the purposes identified in Section 12D.3. have not yet been achieved, in which case it shall certify said finding to the Board of Supervisors no later than 120 days prior to the expiration date. Thereafter, the Board of Supervisors may extend the Ordinance for additional three-year periods.

(F) Review by the Contract Review Committee.

The Contract Review Committee established pursuant to Section 12D.8.(A)3. shall have the following powers and duties:

1. to review contracts referred to it by the Director or a department for determining whether the contract should be set aside, where competition for the contract is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs;

2. before approving a set aside of a contract, the Contract Review Committee shall first determine that: (1) the department seeking or affected by the set aside has complied with all of the requirements of Section 12D.8.(B); and (2) there are at least three (3) business enterprises which are certified or eligible for certification as a MBE or WBE which can compete for the contract set aside.

3. after making the findings required by subsection 12D.15.(F)2., the Contract Review Committee may approve that a contract be set aside. However, the Contract Review Committee, shall first consider the feasibility of approving a set aside where competition is limited to joint ventures with MBE and/or WBE participation which equals or exceeds thirty-five percent (35%). The Contract Review Committee shall issue its findings and approval in writing to the department affected by the set aside.

Sec. 12D.16. Clerk of Board to Transmit Copies of this Chapter; Informing City Employees.

The Clerk of the Board of Supervisors shall send copies of this Chapter, as amended, to every department, agency, commission and contract awarding authority of the City and County of San Francisco. Each appointing officer of the City shall inform all employees under his or her jurisdiction of the provisions of this Ordinance and of the duty of all of his or her employees to comply with the provisions of this Ordinance. Each appointing officer shall also inform employees that if the employee fails to

comply with the requirements of this Ordinance the employee shall be subject to appropriate disciplinary action.

The Clerk of the Board of Supervisors shall also inform every department, agency, commission and contract awarding authority that whenever in accordance with the provisions of the Charter or of the Administrative Code a proposed ordinance, resolution, contract, lease, franchise, license, or other agreement or transaction is submitted to this Board for its adoption or approval, it shall be the policy of this Board to adopt legislation or approve those agreements or transactions where the department first has demonstrated in writing to this Board that the department has engaged in good faith efforts to include the participation of MBEs and WBEs in the department's procurement and contract award practices.

Sec. 12D.17. Implementing Regulations.

Not later than thirty (30) days after the enactment of this Ordinance, the Commission shall adopt amendments to the rules, regulations and procedures it adopted and publicly promulgated pursuant to Ordinance ((139-84)) No. 175-89. The Commission shall afford the public and City departments the opportunity to provide input to and comment on the amendments to the regulations prior to their formal adoption.

Sec. 12D.18. Severability.

The provisions of this Ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this Ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this Ordinance, or the validity of its application to other persons or circumstances.

Sec. 12D.19. Effective Date.

This Ordinance shall take effect on July 1, ((1989)) 1991.

Section 2. The Board of Supervisors having received the Human Rights Commission's Progress Report on the Minority/Women/Local Business Utilization Ordinance--II for fiscal year 1989-1990 and having heard the testimony of many witnesses about the City's current contracting practices hereby makes the following findings:

1. In Section 12D.2 of Chapter 12D of the San Francisco Administrative Code (Ordinance No. 175-89), General Finding No. 8 the Board concluded that the City had made steady progress toward meeting the MBE/WBE goals while only making sparing use of the contract set-aside mechanism. The use of good faith efforts and the application of the bid preference do not appear in all cases to be a sufficient remedy for opening the closed environment in which City departments operate or correcting the identified discriminatory practices of the City against MBEs and WBEs. The Board concludes that setting aside contracts limited to competition among MBE/WBEs or joint ventures with MBE/WBEs is a necessary remedy in those limited cases where a department can demonstrate, despite its good faith efforts and the application of the bid preference, that it has failed substantially to eliminate the exclusion of MBEs and WBEs from City contracting.

2. MBEs and WBEs are currently receiving a very small share of City contracts through joint ventures with majority-owned firms, while a number of well established LBEs have taken advantage of the 5% LBE bid preference by joint venturing with each other. The Board concludes that the five percent (5%) MBE/WBE bid preference has not proved sufficiently effective in

remedying the exclusion of MBEs and WBEs from City contracts through the vehicle of joint ventures. Accordingly, the Board is granting a seven and one half (7.5%) bid preference to joint ventures with MBE or WBE participation between 40% and 50.9% to provide more incentives for majority firms to joint venture with MBEs and WBEs to provide services to the City.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: Mara E. Rosales
Deputy City Attorney

8668g
SUPERVISORS KENNEDY, MIGDEN

Passed for Second Roading

Board of Supervisors, San Francisco

May 13, 1991

Ayes: Supervisors [redacted], Alioto, Britt, Gonzalez, Hallinan, [redacted], Migden, Shelley, Ward.

Noes: Supervisors Maher

Absent Supervisors: Achtenberg Hsieh Kennedy

Mary Rose Burke ACTING Clerk

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

May 28, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward.

[redacted]

[redacted]

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Mary Rose Burke ACTING Clerk

97-90-51
File No.

MAY 31 '91
Approved

Mayor

Inserted

5/8/91 - As amended in Committee

FILE NO. 101-90-90 ORDINANCE NO. 191-91

RO #90238 SA #140

(Government Funding)

5/8/91 jll $957,036 APPROPRIATING ~~$960,000~~ FOR LEGAL SERVICES AND NON-WORK ORDER SERVICES OF OTHER

5/8/91 jll $957,036 DEPARTMENTS-CITY ATTORNEY-LEGAL SERVICES AND RESCINDING ~~$960,000~~ FROM CAPITAL IMPROVEMENT PROJECT (MOCCASIN SHOP BUILDINGS), HETCH HETCHY FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
33-001	Hetch Hetchy Operating Fund		
32-00-00	Hetch Hetchy		
Project 772-01	Moccasin Shop Buildings		
5/8/91 jll 20-2030 (336248)	Capital Improvement Project	$ 957,036 ~~$ 960,000~~	
10-1002 (336016)	Legal Services		$ 710,000
41-4200 (336016)	Non-Work Order Services Of Other Departments-City Attorney-Legal Services		247,036 ~~250,000~~
5/8/91 jll	Total	$ 957,036 ~~$ 960,000~~	$ 957,036 ~~$ 960,000~~

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

May 13, 1991

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley

Absent: Supervisors Achtenberg Ward Hsieh Kennedy

Finally Passed

May 20, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward

Absent: Supervisors Hsieh Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
ACTING Clerk

File No. 101-90-90

MAY 31 '91
Date Approved

[signature]
Mayor

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FILE NO. 109-91-1 ORDINANCE NO. 192-91

[Rent Ordinance]

AMENDING CHAPTER 37 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 37.9 THEREOF TO CLARIFY THAT THE DEFINITION OF ACTUAL DAMAGES FOR WRONGFUL RECOVERY OR ATTEMPTED WRONGFUL RECOVERY OF A RENTAL UNIT INCLUDES DAMAGES FOR MENTAL AND EMOTIONAL DISTRESS IN ACCORDANCE WITH WEAVER V. BANK OF AMERICA (1963) 59 CAL.2d 428, AS APPLIED IN BEEMAN V. BURLING (1990) 216 CAL.APP.3d 1586, AND THAT THIS DEFINITION IS THE ONE THAT THE BOARD OF SUPERVISORS HAD INTENDED IN ENACTING SECTION 37.9(e) OF THIS CHAPTER IN 1982.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 37.9 thereof to read as follows:

Sec. 37.9. Evictions.

Notwithstanding Section 37.3, this section shall apply as of August 24, 1980, to all landlords and tenants of rental units as defined in Section 37.2(p).

(a) A landlord shall not endeavor to recover possession of a rental unit unless:

(1) The tenant has failed to pay the rent to which the landlord is lawfully entitled under the oral or written agreement between the tenant and landlord or habitually pays the rent late or gives checks which are frequently returned because there are insufficient funds in the checking account; or

(2) The tenant has violated a lawful obligation or covenant of tenancy other than the obligation to surrender possession upon proper notice and failure to cure such violation after having received written notice thereof from the landlord; or

(3) The tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or other tenants in the building, and the nature of such nuisance, damage or interference is specifically stated by the landlord in the writing as required by Section 37.9(c); or

(4) The tenant is using or permitting a rental unit to be used for any illegal purpose; or

(5) The tenant, who had an oral or written agreement with the landlord which has terminated, has refused after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration and under such terms which are materially the same as in the previous agreement provided that such terms do not conflict with any of the provisions of this chapter; or

(6) The tenant has, after written notice to cease, refused the landlord access to the rental unit as required by state or local law; or

(7) The tenant holding at the end of the term of the oral or written agreement is a subtenant not approved by the landlord; or

(8) The landlord seeks to recover possession in good faith, without ulterior reasons and with honest intent, for the landlord's use or occupancy as his or her principal residence, or for the use and occupancy as the principal residence of the landlord's children, parents, grandparents, grandchildren, brother or sister, or the landlord's spouse or the spouses of such

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relations, for a period of at least 12 continuous months. For purposes of this subsection, the term landlord shall be defined as an owner of record of at least 10% interest in the property. A landlord may not recover possession under this subsection if a comparable unit in the building is already vacant and available, or if such a unit becomes vacant and available during the period of the notice terminating tenancy. If a comparable unit does become vacant and available during said notice period, the landlord shall rescind the notice to vacate. It shall be rebuttably presumed that the landlord has not acted in good faith if the owner or relative for whom the tenant was evicted does not move into the unit and occupy said unit for a minimum of 12 continuous months; or

(9) The landlord seeks to recover possession in good faith in order to sell the unit in accordance with a condominium conversion approved under the San Francisco subdivision ordinance and does so without ulterior reasons and with honest intent; or

(10) The landlord seeks to recover possession in good faith in order to demolish or to otherwise permanently remove the rental unit from housing use and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent; or

(11) The landlord seeks in good faith to remove temporarily the unit from housing use in order to be able to carry out capital improvements or rehabilitation work and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Any tenant who vacates the units under such circumstances shall have the right to reoccupy the unit at the prior rent adjusted in accordance with the provisions of this chapter. The tenant will vacate the unit only for the minimum time required

to do the work. On or before the date upon which notice to vacate is given, the landlord shall advise the tenant in writing that the rehabilitation or capital improvement plans are on file with the Central Permit Bureau of the Department of Public Works located at 450 McAllister Street and that arrangements for reviewing such plans can be made with the Central Permit Bureau. In addition to the above, no landlord shall endeavor to recover possession of any unit subject to a RAP loan as set forth in Section 37.2(k) of this chapter except as provided in Section 32.69 of the San Francisco Administrative Code. The tenant shall not be required to vacate pursuant to this subsection for a period in excess of three months provided, however, that such time period may be extended by the Board or its hearing officers upon application by the landlord. The Board shall adopt rules and regulations to implement the application procedure. Any landlord who seeks to recover possession under this subsection shall pay the tenant actual costs up to $1,000.00 for moving and relocation expenses not less than 10 days prior to recovery of possession; or

(12) The landlord seeks to recover possession in good faith in order to carry out substantial rehabilitation, as defined in Sec. 37.2(q), and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Notwithstanding the above, no landlord shall endeavor to recover possession of any unit subject to a RAP loan as set forth in Section 37.2(k) of this chapter except as provided in Section 32.69 of the San Francisco Administrative Code; or

(13) The landlord, who does not have cause to evict under any other provision of this subsection (a), wishes to withdraw from rent or lease all rental units within any detached physical

structure and, in addition, in the case of any detached physical structure containing three or fewer rental units, any other rental units on the same lot, and complies in full with Section 37.9A with respect to each such unit; provided, however, that a unit classified as a residential unit under Chapter 41 of this Code which is vacated under this subsection may not be put to any use other than that of a residential hotel unit without compliance with the provisions of Section 41.9 of this Code.

(b) A landlord who resides in the same rental unit with his or her tenant may evict said tenant without just cause as required under subsection (a) above.

(c) A landlord shall not endeavor to recover possession of a rental unit unless at least one of the grounds enumerated in subsections (a) or (b) above is the landlord's dominant motive for recovering possession and unless the landlord informs the tenant in writing on or before the date upon which notice to vacate is given of the grounds under which possession is sought and that advice regarding the notice to vacate is available from the Residential Rent Stabilization and Arbitration Board, before endeavoring to recover possession. A copy of all notices to vacate except 3-day notices to vacate or pay rent and a copy of any additional written documents informing the tenant of the grounds under which possession is sought shall be filed with the Board within 10 days following service of the notice to vacate. The District Attorney shall determine whether the units set forth on the list compiled on accordance with Section 37.6(k) are still being occupied by the tenant who succeeded the tenant upon whom the notice was served. In cases where the District Attorney determines that Section 37.9(a)(8) has been violated, the District Attorney shall take whatever action he deems appropriate under this chapter or under state law.

(d) No landlord may cause a tenant to quit involuntarily or threaten to being any action to recover possession, or decrease any services, or increase the rent, or take any other action where the landlord's dominant motive is retaliation for the tenant's exercise of any rights under the law. Such retaliation shall be a defense to any action to recover possession. In an action to recover possession of a rental unit, proof of the exercise by the tenant of rights under the law within 6 months prior to the alleged act of retaliation shall create a rebuttable presumption that the landlord's act was retaliatory.

(e) It shall be unlawful for a landlord or any other person who willfully assists the landlord to endeavor to recover possession or to evict a tenant except as provided in Sec. 37.9(a) and (b). Any person endeavoring to recover possession of a rental unit from a tenant or evicting a tenant in a manner not provided for in Sec. 37.9(a) or (b) without having a substantial basis in fact for the eviction as provided for in Sec. 37.9(a) shall be guilty of a misdemeanor and shall be subject, upon conviction, to the fines and penalties set forth in Sec. 37.10. Any waiver by a tenant of rights under this chapter shall be void as contrary to public policy.

(f) Whenever a landlord wrongfully endeavors to recover possession or recovers possession of a rental unit in violation of Sections 37.9 and/or 37.10 as enacted herein, the tenant or board may institute a civil proceeding for injunctive relief, money damages of not less than three times actual damages (including damages for mental or emotional distress), and whatever other relief the court deems appropriate. In the case of an award of damages for mental or emotional distress, said award shall only be trebled if the trier of fact finds that the landlord acted in knowing violation of or in reckless disregard of Sections 37.9 or 37.10 herein. The

prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to order of the court. The remedy available under this subsection shall be in addition to any other existing remedies which may be available to the tenant or the Board.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Kennedy Migden Shelley Ward
Noes: Supervisors Gonzalez	Noes: Supervisors Hsieh Maher
Absent: Supervisors Hsieh Maher	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No.
109-91-1

MAY 31 1991
Date Approved

_____
Mayor

FILE NO. 118-91-2 ORDINANCE NO. 193-91

(Hazardous Materials)

AMENDING PART II, CHAPTER V (HEALTH CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 1120.1 THEREOF TO REQUIRE PLANS FOR REDUCING THE USE OF HAZARDOUS MATERIALS AND THE GENERATION OF HAZARDOUS WASTE TO BE SUBMITTED AS PART OF AN ESTABLISHMENT'S HAZARDOUS MATERIALS PERMIT.

NOTE: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V (Health Code) of the San Francisco Minicipal Code is amended by amending Section 1120.1 to read as follows:

SEC. 1120.1. Application for Permit.

Every person required to obtain a permit by this article shall make a written application to the Director of Health upon forms furnished for that purpose and certify that Parts 2, 3 and 4 meet the requirements of this article. No application may be accepted unless and until the filing fee has been paid. The Director of Health shall furnish an application form containing the following:

(a) Part 1: General application information, which shall include, but not be limited to:

(1) The name and address of the establishment and business phone number of applicant, the name and titles and 24-hour emergency phone numbers of the primary response person and an alternate, the number of employees, number of shifts,

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hours of operation, and principal business activity and its SIC Code number.

(2) The name and address of the person who owns the establishment and, if different, the name and address of the person or persons who operate the establishment or any portion thereof.

(3) Upon request by the Director of Health, a map of the establishment drawn at a scale and in a format and detail that meets the Director's requirements. The map shall be updated whenever the permittee is required to obtain an addendum to the permit or any additional approvals.

(4) Information on the availability, testing, and maintenance of emergency equipment.

(5) A description of the container in which each hazardous material is stored.

(6) For underground storage tanks, such additional information as specified in Section 1184.

(7) Such other information as is necessary to enable the Director of Health to determine that employees and the general public are protected from exposure to hazardous materials.

(b) Part 2: A Hazardous Materials Disclosure Form, including but not limited to the following information:

(1) For each non-waste: The general chemical name, common/trade name, major constituents for mixtures, the manufacturer, United Nations or North American number, and the proper United States Department of Transportation shipping name and the hazard class or classes and the Material Safety Data Sheet (MSDS) or equivalent information as required by the Director of Health.

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(2) For each waste: the proper United States Department of Transportation Shipping Name and hazard class, and United Nations or North American number, or waste category number per Table III of the Department of Health Services Uniform Hazardous Waste Manifest, as amended, and special handling instructions.

(3) Designation of each hazardous material that is a carcinogen.

(4) The amount stored at the establishment for each hazardous material listed, including the maximum amount stored at any one time at the establishment over the course of the year and the total estimated amount stored at the establishment throughout the course of the year.

(c) Part 3: Requirements for a ((A)) plan for emergency response to a release or threatened release of a hazardous material, including but not limited to the following information:

(1) Immediate notification to appropriate local emergency rescue personnel;

(2) Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property or the environment;

(3) Evacuation plans and procedures, including immediate notice, for the business site and for the affected public.

(d) Part 4: Requirements for a ((A)) plan for training for all new employees and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material, including but not limited to, familiarity with the plans and procedures specified in Part 3.

(e) Part 5: For applications submitted on or after October 15, 1991, requirements for a plan for reducing the use of

hazardous materials and the generation of hazardous waste. The requirements shall include:

(1) For an applicant subject to the Hazardous Waste Reduction and Management Review Act (HWRMRA) (Health and Safety Code, Division 20, Sections 25244.12-25244.25), on request of the Director of Health, submittal of a copy of the applicant's current source reduction evaluation review and plan, hazardous waste management performance report, and plan and report summaries prepared pursuant to Health and Safety Code Section 25244.18(g) and applicable regulations.

(2) For an applicant not subject to HWRMRA, if a California Department of Health Services Hazardous Waste Audit Study Checklist is available for the applicant's industry classification, submittal of a completed copy of the most current applicable checklist and certification by the applicant that the information contained in the completed checklist is true and correct to the best of the applicant's knowledge. An applicant may exempt from the audit any waste stream which is exempted from the requirements of HWRMRA and its implementing regulations. The audit shall be reviewed and updated every four years.

(3) A. For each applicant covered by (1) or (2) above, whose inventory includes one or more hazardous materials that do not enter a waste stream, submittal of a plan that identifies hazardous materials reduction measures that are technically feasible and economically practicable for each such hazardous material that is stored in a total annual quantity that equals or exceeds:

(i) if an acutely hazardous material as defined in H & S Code §25532, the threshold planning quantity listed in Appendix A of Part 355 of Subchapter J of Chapter I of Title 40 of the Code

of Federal Regulations.

(ii) if a non-acutely hazardous material, 55 gallons, 500 pounds or 200 cubic feet at standard temperature and pressure for compressed gas.

B. The plan shall identify technically feasible product substitutions and product use reduction or elimination measures.

C. From the list of technically feasible measures identified, the plan shall identify those economically practicable measures that the establishment will implement and an explanation of the rationale for rejection of any identified measures, with full documentation.

D. The plan shall estimate hazardous materials use expected to be reduced annually, a timetable for implementation of each reduction measure and certification that the information submitted in the plan is true and correct to the best of the knowledge of the applicant.

E. The plan shall be reviewed and updated every four years.

((e)) (f) In the event the applicant determines that some or all of the information contained in the Hazardous Material Disclosure Form constitutes a Trade Secret, the Director shall take measures to ensure that the information contained on the Hazardous Material Disclosure Form not be disclosed except pursuant to the protections and according to the procedures and standards set down in Section 1152 and any regulations adopted by the Health Commission pursuant to the provisions of this article.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Elaine C. Warren
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1991	May 20, 1991
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward
Absent: Supervisors Achtenberg Ward Hsieh Kennedy	Absent: Supervisors Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Jane Burke
Acting Clerk

File No. 118-91-2

MAY 31 '91
Date Approved

Mayor

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File No. 81-91-2 Ordinance No. 194-91

(Affordable Housing Special Use District)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTION 249.10 TO CREATE AN AFFORDABLE HOUSING SPECIAL USE DISTRICT AT SOUTH VAN NESS AVENUE AND TWENTY FOURTH STREET AND FINDING CONSISTENCY WITH PLANNING CODE SECTION 101.1.

Note: The entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 2, Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 249.10, to read as follows:

SEC. 249.10. SOUTH VAN NESS AVENUE AND TWENTY FOURTH STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT. In order to provide for affordable rental housing opportunities for low-income households there shall be a South Van Ness Avenue and Twenty Fourth Street Affordable Housing Special Use District, consisting of Lot 72 of Assessor's Block 3642; excepting therefrom that portion beginning at the point of intersection of the westerly line of South Van Ness Avenue with the northerly line of Lot 72, as shown on the Parcel Map hereinabove referred to; running thence southerly along said westerly line of South Van Ness Avenue 35 feet; thence at a right angle westerly 122.50 feet to the westerly line of said Lot 72; thence at a right angle northerly long the westerly line of said Lot 72, a distance of 35 feet to the northerly line of said Lot 72; thence at a right angle easterly along the northerly line of said Lot 72, a distance of 122.50 feet to the point of beginning. The following provisions shall apply within such special use district:

(a) Any developer of housing who agrees to construct at least (1) 25 percent of the total units of a housing development for persons and families of low or moderate income or (2) 10 percent of the total units of a housing development for very low income households, shall be entitled to a density bonus upon approval by the City Planning Commission as a conditional use under Section 303 of this code.

(b) For the purposes of this Section, the following definitions shall apply:

(1) "Density bonus" shall mean a density increase of not more than 35 percent over the number of dwelling units otherwise permitted as a principal use in the district. The density bonus shall not be calculated as part of the total units for purposes of determining the percentage of designated units.

(2) "Designated unit" shall mean a housing unit identified and reported by the developer of a housing development as a unit that is affordable to households of low-or very low-income.

(3) "Housing development" shall mean five or more dwelling units.

(4) "Persons or families of low or moderate income" is defined in Section 50093 of the Health and Safety Code.

(5) "Very low income household" is defined in Section 50105 of the Health and Safety Code.

(c) In this district all of the provisions of the City Planning Code for residential development shall continue to apply, including setback, rear yard, open space, and height and bulk standards, except as provided in subsection (d).

(d) In this special use district a modification to or exception from otherwise applicable parking requirements may be appropriate in order to further the critical goal of creating affordable housing. A conditional use approval for a housing development subject to this section may modify or grant an exception from the parking requirements of this code to require one (1) parking space for every four (4) units in the special use district if the facts presented are such as to establish that the modification or exception

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satisfies the criteria of subsections 303(c)(1) through 303(c)(3) of this code.

(e) The controls of this Section shall remain in effect until December 31, 1995.

Section 2. The Board of Supervisors finds that this amendment is consistent with the priority policies set forth in Section 101.1 of the San Francisco Planning Code, and adopts as its own the findings made by the City Planning Commission in Resolution No. 13076.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Leslie Braverman
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Hsieh	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Anne Bulos
ACTING CLERK

File No.
81-91-2

JUN 04 1991
Date Approved

Mayor

File No. 36-91-5.1 Ordinance No. 195-91

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 1272-1278 SOUTH VAN NESS AVENUE, BETWEEN 23RD AND 24TH STREETS, A PORTION OF LOT 72 IN ASSESSOR'S BLOCK 3642 FROM AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT TO AN RM-1 (MIXED RESIDENTIAL, LOW DENSITY) DISTRICT AND THE SOUTH VAN NESS AVENUE AND 24TH STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the Final Negative Declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Lot 72 of Assessor's Block 3642; excepting therefrom that portion beginning at the point of intersection of the westerly line of South Van Ness Avenue with the northerly line of Lot 72, as shown on the Parcel Map hereinabove referred to; running thence southerly along said westerly line of South Van Ness Avenue 35 feet; thence at a right angle westerly 122.50 feet to the westerly line of said Lot 72; thence at a right angle northerly along the westerly line of said Lot 72, a distance of 35 feet to the northerly line of said Lot 72; thence at a right angle easterly along the northerly line of said Lot 72, a distance of 122.50 feet to the point of beginning; being a portion of Lot 72 in Assessor's Block 3642 and adjacent street areas to their centerline as designated on Sectional Map No. 7 of the Zoning Map.	RM-1	RM-1 and South Van Ness Avenue and 24th Street Affordable Housing Special Use District.

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 13077 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Leslie Bravermann
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean Macris
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 20, 1991	§	May 28, 1991
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Kennedy Maher	§	Britt Gonzalez Hallinan Hsieh
Migden Shelley Ward	§	Kennedy Migden Shelley Ward
	§	
Absent: Supervisors Britt Hsieh	§	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Mary Rose Bulen
ACTING Clerk

File No.
36-91-5.1

JUN 04 1991
Date Approved

Mayor

FILE NO. 45-91-14

ORDINANCE NO. 196-91

RO #90223

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITICATION OF ROSE LEE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $11,250.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ROSE LEE v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 919-299, by the payment of $11,250.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 90
309674 1450 $11,250.00

MAR 0 6 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
45-91-14

JUN 0 4 1991
Date Approved

Mayor

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JUN 1 4 1991

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FILE NO. 45-91-18

ORDINANCE NO. 197-91

RO #90245

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF MY KYND, INC. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,500.00.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The City Attorney is hereby authorized to settle the action entitled "My Kynd, Inc. v. San Francisco General Hospital and the City and County of San Francisco", Superior Court No. 921-067, by the payment of $7,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 86
309807 1450 $7,500.00

APR 10 1991

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

RAYMOND J. BAXTER, Ph.D.

APPROVED:

Public Health Commission

SECRETARY

1340w

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-91-18

JUN 04 1991
Date Approved

Mayor

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JUN 14 1991

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FILE NO. 45-91-20

ORDINANCE NO. 198-91

RO #90252

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JONES, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JONES, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL." (USDC No. C88-0084), by the payment of Seven Thousand and Five Hundred Dollars ($7,500.00).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $7,500.00

APR 16 1991

APPROVED:

SAN FRANCISCO POLICE COMMISSION

MANUEL BARRETTA
Secretary

Page 1 of 1
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Rose Bulen
ACTING Clerk

File No. 45-91-20

JUN 04 1991
Date Approved

Mayor

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JUN 14 1991

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FILE NO. 45-91-21

ORDINANCE NO. 199-91

RO #90265

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WESLEY E. MOORE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "WESLEY E. MOORE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL. (Superior Court No. 860-167), by the payment of Thirty-Five Thousand Dollars ($35,000.00).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

APPROVED:

SAN FRANCISCO SHERIFF DEPARTMENT

MICHAEL HENNESSEY

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller
01 001 97 09 06
309740 1450 $35,000.00

APR 29 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ADMIN. Clerk

File No. 45-91-21

JUN 04 1991
Date Approved

Mayor

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JUN 14 1991

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FILE NO. 45-91-22

ORDINANCE NO. 200-91

RO #90261

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF TERESITA FONSECA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $30,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "TERESITA FONSECA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 893-885, by the payment of $30,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $30,000.00

APR 24 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1991	May 28, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy Maher	Absent: Supervisors Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

MONIQUE MOYER
Clerk

File No. 45-91-22

JUN 04 1991
Date Approved

Mayor

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JUN 14 1991
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